

**(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)**

**(19) World Intellectual Property Organization  
International Bureau**



**(43) International Publication Date**  
**14 December 2000 (14.12.2000)**

## PCT

**(10) International Publication Number**  
**WO 00/75326 A1**

**(51) International Patent Classification<sup>7</sup>:** C12N 15/12, 15/11, C07K 14/47, A61K 38/17, 48/00, A01K 67/027

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**(21) International Application Number:** PCT/US00/40151

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, UZ, VN, YU, ZA, ZW.

**(22) International Filing Date:** 6 June 2000 (06.06.2000)

**(25) Filing Language:** English

**(26) Publication Language:** English

**(30) Priority Data:**  
09/327,138 7 June 1999 (07.06.1999)

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

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**Published:**

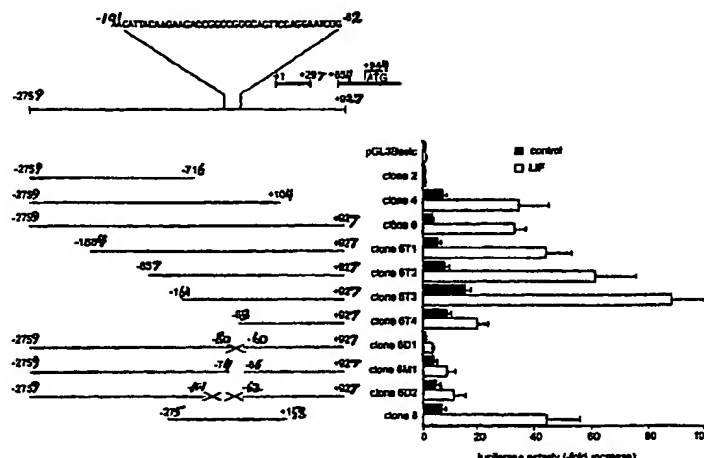
— *With international search report.*

— Before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments.

*[Continued on next page]*

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**(54) Title: SUPPRESSOR OF CYTOKINE SIGNALING (SOCS)-3 PROMOTER AND METHODS FOR ITS USE**



**(57) Abstract:** Disclosed is a nucleic acid construct comprising a murine SOCS-3 promoter sequence having SEQ. ID. NO.:1, or a non-murine homologue thereof, or an operative fragment or derivative. The construct can also contain, operatively linked to the SOCS-3 promoter, a gene encoding any preselected protein, and optionally contains a reporter gene to facilitate detection and/or selection of successfully transfected cells. Also disclosed are a transgenic vertebrate cell containing the nucleic acid construct and transgenic non-human vertebrates comprising such cells. The nucleic acid construct is useful in methods of treating a growth retardation or growth acceleration disorder in a human subject and in a method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject. A kit for genetically modifying a vertebrate cell includes a polynucleotide comprising the murine SOCS-3 promoter sequence is also disclosed.

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## SUPPRESSOR OF CYTOKINE SIGNALING (SOCS)-3 PROMOTER AND METHODS FOR ITS USE

The U.S. Government has a paid-up license in this invention and the right in limited circumstances to require the patent owner to license others on reasonable terms as provided  
5 for by the terms of grant DK 50238 awarded by the NIH.

## BACKGROUND OF THE INVENTION

Throughout this application various publications are referenced within parentheses. The disclosures of these publications in their entireties are hereby incorporated by reference in this application in order to more fully describe the state of the art to which this invention  
10 pertains.

## 1. THE FIELD OF THE INVENTION

This invention relates to the medical arts. In particular the present invention relates to the field of cellular signal transduction and to gene therapy.

## 2. DISCUSSION OF THE RELATED ART

15 Cytokines are small secreted proteins or factors (5 to 20 kD) that have specific effects on cell-to-cell interactions, intercellular communication, or the behavior of other cells. Cytokines involved in inflammatory diseases are produced by lymphocytes, especially T<sub>H</sub>1 and T<sub>H</sub>2 lymphocytes, monocytes, intestinal macrophages, granulocytes, epithelial cells, and fibroblasts. (Reviewed in G. Rogler and T. Andus, *Cytokines in inflammatory bowel disease*,  
20 World J. Surg. 22(4):382-89 [1998]; H.F. Galley and N.R. Webster, *The immuno-inflammatory cascade*, Br. J. Anaesth. 77:11-16 [1996] ). Some cytokines are pro-inflammatory (e.g., tumor necrosis factor [TNF]- $\alpha$ , interleukin [IL]-1( $\alpha$  and  $\beta$ ), IL-6, IL-8, IL-12); others are anti-inflammatory (e.g., IL-1 receptor antagonist [IL-1ra], IL-4, IL-10, IL-11, and transforming growth factor [TGF]- $\beta$ ). However, there may be overlap and functional  
25 redundancy in their effects under certain inflammatory conditions.

One group of cytokines, the IL-6-type, are also important in the regulation of complex cellular processes such as gene activation, proliferation and differentiation. The IL-6-type

cytokines include IL-6, IL-11, leukemia inhibitory factor (LIF), oncostatin M, ciliary neutrophic factor, and cardiotrophin-1. (Reviewed in P.C. Heinrich *et al.*, *Interleukin-6-type cytokine signaling through the gp130/JAK/STAT pathway*, Biochem. J. 334(Pt 2):297-314 [1998]). The IL-6-type cytokines (also known as the gp130 signaling subunit cytokine family) have in common that signal transduction proceeds through a pathway beginning with ligand binding by type I and type II surface receptors, internalization involving affinity converter/signal transducing subunit gp130, the activation of the Janus family of cytoplasmic tyrosine kinases (e.g., Jak1, Jak2, and Tyk2); this results in the phosphorylation and dimerization of the signal transducers and activators of transcription (STAT)-1 and STAT-3 that activate transcription from promoters having STAT recognition sites. (Heinrich *et al.* [1998]; M. Ernst *et al.*, *Gp130-mediated signal transduction in embryonic stem cells involves activation of Jak and Ras/mitogen-activated protein kinase pathways*, J. Biol. Chem. 271(47):30136-43 [1996]; R. Starr *et al.*, *A family of cytokine-inducible inhibitors of signaling*, Nature 387(6636):917-21 [1997]; T. Hirano *et al.*, Cytokine & Growth Factor Rev. 8:241-52 [1997]; E. Arzt & G.K. Stalla, Neuroimmunomodulation 3:28-34 [1996]; S.J. Haque & B.R.G. Williams, Semin. Oncol. 25 (suppl. 1):14-22 [1998]). This pathway is known as the Jak-STAT signaling cascade.

Several IL-6-type cytokines are important neuro-immuno-endocrine modulators of the hypothalamo-pituitary-adrenal (HPA) axis (Arzt, E. & Stalla [1996]; S. Melmed, Trends Endocrinol. Metab. 8:391-97 [1997]; H.O. Besedovsky, & A. Del Rey, Endo. Rev. 17:64-102 [1996]), which regulates metabolism, including growth, body temperature, water balance, blood sugar, fat metabolism, and sexual and nerve function. For example, LIF is a potent auto-paracrine stimulus of pituitary proopiomelanocortin (POMC) gene expression and adrenocorticotrophic hormone (ACTH) secretion, which stimulates the adrenals to produce additional hormones. Thus, LIF modulates the HPA axis response to various inflammatory and stress stimuli. (Z. Wang *et al.*, Endocrinology 137:2947-53 [1996]; C.J. Auernhammer *et al.*, Endocrinology 139:2201-08 [1998a]). In vitro experiments using human fetal pituitary cells (I. Shimon *et al.*, J. Clin. Invest. 100: 357-63 [1997]) and the corticotroph cell line AtT-20 (S. Akita *et al.*, J. Clin. Invest. 95, 1288-1298 [1995]; C. Bousquet *et al.*, J. Biol. Chem. 272:10551-57 [1997]), showed a profound and synergistic action of LIF and corticotropin-releasing hormone (CRH) on POMC gene expression and ACTH secretion. LIF is known to induce the Jak-STAT signaling cascade in the corticotroph cells. (C.J.

Auernhammer *et al.*, *Pituitary corticotroph SOCS-3: novel intracellular regulation of leukemia-inhibitory factor-mediated proopiomelanocortin gene expression and adrenocorticotropin secretion*, *Mol. Endocrinol.* 12(7):954-61 [1998b]; I. Shimon *et al.* [1997]; D.W. Ray *et al.*, *Leukemia inhibitory factor (LIF) stimulates proopiomelanocortin (POMC) expression in a corticotroph cell line. Role of STAT pathway*, *J. Clin. Invest.* 5 97(8):1852-59 [1996]; D.W. Ray *et al.*, *Ann. N.Y. Acad. Sci. USA* 840:162-73 [1998]).

A new family of cytokine-inducible proteins has recently been described that inhibits the Jak-STAT signaling cascade. (E.g., S.E. Nicholson *et al.*, *The SOCS proteins: a new family of negative regulators of signal transduction*, *J. Leukoc. Biol.* 63(6):665-68 [1998]; R. Starr *et al.*, *SOCS: suppressors of cytokine signaling*, *Int. J. Biochem. Cell Biol.* 10 30(10):1081-85 [1998]). These proteins have been variously termed suppressors of cytokine signaling ("SOCS")(R. Starr *et al.*, *A family of cytokine-inducible inhibitors of signaling*, *Nature* 387(6636):917-21 [1998]; D.J. Hilton *et al.*, *Proc. Natl. Acad. Sci. USA* 95:114-19 [1998]), STAT-induced STAT inhibitors (SSI)(T. Naka *et al.*, *Nature* 387:924-28[1997]; S. Minamoto *et al.*, *Biochem. Biophys. Res. Commun* 237:79-83 [1997]), cytokine-inducible SH2 containing protein (CIS)(A. Yoshimura *et al.*, *EMBO J.* 14:2816-26 [1995]; M. Masuhara *et al.*, *Biochem. Biophys. Res. Commun.* 239:439-46 [1997]; A. Matsumoto *et al.*, *Blood* 89:3148-54 [1997]), and Jak binding protein (JAB)(T.A. Endo *et al.*, *Nature* 387:921-24 [1997]; H. Sakamoto *et al.*, *Blood* 92:1668-76 [1998]). The SOCS-protein family 15 currently consists of CIS and SOCS-1 through 7. (D.J. Hilton *et al.* [1998]; M.J. Aman & W.J. Leonard, *Curr. Biol.* 7:R784-R788 [1997]; R. Starr & D.J. Hilton, *Int. J. Biochem. Cell Biol.* 30:1081-85 [1998]).

SOCS-protein expression is stimulated by various cytokines in a tissue specific manner (R. Starr *et al.*, *Nature* 387:917-21 [1997]; M.J. Aman & W.J. Leonard [1997]; H. Sakamoto 25 *et al.* [1998]; H.O. Besedovsky, & A. Del Rey [1996]; T.E. Adams *et al.*, *J. Biol. Chem.* 273:1285-87 [1998]; C. Bjorbaek *et al.*, *Mol. Cell* 1:619-625 [1998]). The gene expression of SOCS-1/SSI-1/JAB and SOCS-3/SSI-3/CIS-3, referred to herein as SOCS-1 and SOCS-3, are induced by IL-6 and LIF in various tissues (R. Starr *et al.* [1997]; D.J. Hilton *et al.* [1998]; T. Naka *et al.* [1997]; S. Minamoto *et al.* [1997]; M. Masuhara *et al.* [1997]; A. 30 Matsumoto *et al.* [1997]; T.A. Endo *et al.* [1997]). For example, SOCS-3 gene expression is rapidly induced by LIF in the pituitary in vivo, and in corticotroph AtT-20 cells in vitro. (C.J. Auernhammer *et al.* [1998b]).

Both, SOCS-1 and SOCS-3 proteins bind to the JH1 domain of Jak-2 and thereby inhibit IL-6-, IL-11-, or LIF-induced tyrosine phosphorylation activity by Jak-2 of gp 130 and STAT-3. (S. Minamoto *et al.* [1997]; M. Masuhara *et al.* [1997]; C.J. Auernhammer *et al.* [1998b]). SOCS-3 is induced by growth hormone (GH) in the liver, and inhibits GH-  
5 induced Spi 2.1 promoter activity. (T.E. Adams *et al.* [1998]). SOCS-3 inhibits LIF-induced POMC gene expression and ACTH secretion (C.J. Auernhammer *et al.* [1998b]), thus providing an intracellular negative feedback regulation of cytokine-induced activation of the HPA-axis. Hypothalamic SOCS-3 gene expression is stimulated by leptin, and SOCS-3 inhibits leptin-induced signal transduction (C. Bjorbaek *et al.*, *Mol. Cell* 1:619-625 [1998]),  
10 thus suggesting its regulatory role in central leptin resistance.

The structure of SOCS proteins has been described. (e.g., S.E. Nicholson *et al.*, *Mutational analyses of the SOCS proteins suggest a dual domain requirement but distinct mechanisms for inhibition of LIF and IL-6 signal transduction*, *EMBO J.* 18(2):375-85 (Jan. 1999). Dominant negative STAT-3 mutants, isolated by substitution of a carboxy-terminal  
15 tyrosine phosphorylation site Tyr<sup>705</sup> to Phe<sup>705</sup> (STAT-3F) or mutation at positions important for DNA binding (STAT-3D) have been recently described (K. Nakajima *et al.*, *EMBO J.* 15:3651-58 [1996]). Overexpression of these STAT-3 dominant negative mutants in corticotroph AtT-20 cells inhibits LIF-induced POMC gene expression and ACTH secretion. (C. Bousquet & S. Melmed, *J. Biol. Chem.* 274:10723-30 [1999]). Cytokine-induced gene  
20 expression of SOCS-1 has been shown to be inhibited in cells overexpressing dominant negative STAT-3 mutants (T. Naka *et al.* [1997]), but the promoter region of SOCS-1 has not been cloned.

Therefore, there remains a definite need for a promoter sequence capable of regulating expression of preselected proteins, such as SOCS-3 protein, and that can be targeted by gene  
25 therapy to treat growth disorders, autoimmune diseases, immune diseases, and inflammatory conditions. This and other features and benefits provided by the present invention will now be described.

#### SUMMARY OF THE INVENTION

The present invention relates to a nucleic acid construct comprising a murine SOCS-3  
30 promoter sequence, or a non-murine homologue thereof, or an operative fragment or derivative of any of these. The construct can also contain, operatively linked to the SOCS-3

promoter, a DNA sequence encoding a gene for any preselected protein or a gene-specific part of such a DNA sequence, or to a DNA sequence that encodes a preselected gene-specific antisense RNA or a catalytic RNA. A preselected protein that is encoded by the nucleic acid construct can be from an autologous, allogeneic, or xenogeneic source. In addition, the present nucleic acid construct optionally contains a reporter gene to facilitate detection and/or selection of successfully transfected cells. The present nucleic acid construct is particularly useful for linking expression of a desired gene product to physiological processes that are regulated by gp130-mediated signal transduction from IL-6-type cytokines (i.e., cytokines of the gp130 signaling subunit cytokine family), such as IL-6, IL-11, or LIF. For example, when the encoded protein is a SOCS-3 protein, the present nucleic acid can be used to modulate the physiology and/or hormonal secretions of cells of the hypothalamus, pituitary, adrenals, liver, or other tissues, through a negative autoregulatory feedback of SOCS-3 on its own cytokine-induced gene expression.

The present invention also relates to a transgenic vertebrate cell containing the nucleic acid construct of the present invention and to transgenic non-human vertebrates comprising such cells.

The present invention also relates to a method of treating a growth retardation disorder in a human subject. The method involves genetically modifying a GH-responsive or gp130-responsive cell(s) of a human subject having a growth retardation disorder, such as dwarfism, GH deficiency, gonadal dysgenesis, chondrodystrophy, or bone-cartilage dysplasia. The cell(s) are genetically modified using a nucleic acid construct that comprises a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked to a DNA sequence that encodes an RNA that specifically hybridizes to a functional SOCS-3 mRNA. In response to a growth-inducing cytokine, in vivo, the genetically modified cell(s) within the human subject, transcribe an RNA transcript that specifically hybridizes to a functional SOCS-3 mRNA, preventing translation therefrom. This RNA transcript can be an antisense RNA or a catalytic RNA (ribozyme) that cleave the SOCS-3 mRNA. As a consequence, the amount of SOCS-3 protein produced within the genetically modified cell(s) is relatively reduced, and one or more symptoms of the growth retardation disorder in the subject are thereby improved, due to a lessening of SOCS-3-mediated signal suppression within the genetically modified cell(s).

The present invention also relates to a method of treating a growth acceleration

disorder in a human subject. The method involves genetically modifying a GH-responsive or gp130-responsive cell(s) of a human subject having a growth acceleration disorder, such as gigantism, acromegaly, or Cushing's disease. The cell(s) are genetically modified using a nucleic acid construct, comprising a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked to a DNA sequence encoding a SOCS-3 protein, or functional fragment thereof. In response to the growth-inducing cytokine, in vivo, the genetically modified cell(s) produce an enhanced amount of SOCS-3 protein. The symptom(s) of the growth acceleration disorder in the subject are thereby improved, due to enhanced SOCS-3-mediated cytokine signal suppression.

10 The present invention also relates to a method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject having a condition, such as Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, or a neuroendocrinological response to psychological or physical stress. The method involves genetically modifying a gp130-responsive cell(s),  
15 responsive to a pro-inflammatory cytokine, such as IL-6 or LIF. The cell(s) are genetically modified using a nucleic acid construct that includes a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked to a DNA sequence encoding a SOCS-3 protein, or functional fragment thereof. In response to a pro-inflammatory cytokine of the gp130 signaling subunit cytokine family, in vivo, the genetically modified cell(s) produce an  
20 enhanced amount of SOCS-3 protein. The symptom(s) of the autoimmune disease, immune disease, or inflammatory condition in the subject are thereby improved, due to a relative increase in SOCS-3-mediated signal suppression.

Alternatively, the SOCS-3 promoter is operatively linked to a DNA sequence encoding a functional anti-inflammatory cytokine of the gp130 signaling subunit cytokine family, such as IL-11, linked to a functional secretory signal. In response to a pro-inflammatory cytokine of the gp130 signaling subunit cytokine family, in vivo, the genetically modified cell(s) produce and secrete an enhanced amount of the anti-inflammatory cytokine. The symptom(s) of the autoimmune disease, immune disease, or inflammatory condition in the subject are thereby improved.

30 The present invention also relates to a kit for genetically modifying a vertebrate cell. The kit includes a polynucleotide comprising a murine SOCS-3 promoter sequence having SEQ. ID. NO.:1, or an operative fragment or non-murine homologue thereof, or an operative



derivative of any of these. Preferably, the polynucleotide includes, operatively linked to the SOCS-3 promoter, at least one DNA sequence encoding a preselected protein or a gene-specific part of such a DNA sequence, or a DNA encoding a preselected gene-specific antisense RNA or a specific catalytic RNA, as appropriate for a particular application. Optionally, the promoter is linked to a reporter gene for facilitating detection, isolation, or selection of genetically modified cells from unmodified cells. Some embodiments of the kit are configured for use in practicing the present methods of treating a growth retardation or acceleration disorder in a human subject or the present method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject.

These and other advantages and features of the present invention will be described more fully in a detailed description of the preferred embodiments which follows.

#### BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 shows stimulation of expression from the murine SOCS-3 promoter in corticotroph AtT-20 cells treated with  $0.5 \times 10^{-9}$  M LIF, IL-6, or IL-11 for 60 and 120 min, respectively. Figure 1A shows a Northern blot analysis performed with  $25 \mu\text{g}$  total RNA per lane. The upper panel shows SOCS-3 mRNA; the lower panel shows  $\beta$ -actin mRNA. Figure 1B shows luciferase activity in AtT-20 cells transfected with pGL3Basic alone or a -2757/+929 murine SOCS-3 promoter-pGL3Basic construct (clone 6).

Figure 2 shows LIF-induced SOCS-3 promoter activity and gene expression in corticotroph AtT-20 cells overexpressing wild type STAT-3 (AtT-20W) or dominant negative STAT-3 mutants (AtT-20F and AtT-20D), as well as wild type SOCS-3 (AtT-20S) and mock-transfected (AtT-20M); cells were treated with  $0.5 \times 10^{-9}$  M LIF for 45 min. Figures 2A and 2D show Northern blot analysis performed with  $15 \mu\text{g}$  total RNA per lane for a representative experiment; upper panel shows SOCS-3 mRNA; lower panel shows  $\beta$ -actin mRNA. Figures 2B and 2E show Northern blot signals for SOCS-3 mRNA analyzed by quantitative densitometry and normalized for  $\beta$ -actin mRNA. Figures 2C and 2F show relative luciferase activity in various cell clones bearing a -2759/+927 murine SOCS-3 promoter-pGL3Basic construct (clone 6).

Figure 3 shows relative luciferase activities in transiently transfected AtT-20 cells bearing different constructs of the genomic 5'-region of murine SOCS-3. Luciferase activity was measured in untreated (filled bars) and LIF-stimulated (unfilled bars) AtT-20 cells.

Crossed lines indicate a deletion of STAT binding elements in Clone 6D1 and 6D2, in between the named nucleotides, A dotted line indicates a mutation of the wild type STAT binding sequence (5'-TTCCAGGAA-3'; SEQ. ID. NO.:13) with mutant (5'-ATCGACGAT-3'; SEQ. ID. NO.:14) in clone 6M1.

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#### DETAILED DESCRIPTION OF THE SPECIFIC EMBODIMENTS

The present invention relates to a nucleic acid construct comprising a murine SOCS-3 promoter sequence, or an operative fragment thereof, or a non-murine homologue thereof, or an operative derivative of any of these.

The following nucleotide sequence represents the full length ~3.8-kb genomic 5'-region of the murine SOCS-3 gene (GenBank Accession AF117732). The transcription start site is defined as +1. An untranscribed region extends from nucleotide -2907 to -1, inclusive. A transcribed but untranslated region (exon 1) extends from +1 to +289; exon 2, begins at +854 (exons are underlined), and contains the intronless coding region of SOCS-3 with a translational start site encoded at nt. +944 to +946. (R. Starr *et al.* [1997]). The translation initiation codon ATG (nt. +944 to +946) and a TATA-box (nt. -39 to -34) are indicated in boldface type. Two potential STAT-binding elements (nt. -74 to -66 and nt. -97 to -88) are in boldface and underlined:

-2907 GACGTTCTTA AAAGCATGCA TGTCACCCAG CTTACCCACC CATCTCAGGC CACAGCAGCC  
 -2847 TGAGAGAGCG GAAGAACACC TGCTGGTCCT GTCCACCTC TCCTCTTCAA ACAGCCCCAC  
 -2787 ATCTCCAGT TTTGCTCTGG GTGGAGCTCC CTGCTGGCCC TGCAGAGGGA AGGCTCTCCT  
 -2727 AAGCATCATC TATCAGAACG TCTTCAAAAA AAAAAAAAAA AAAAAAAAAAG CCTCTCCAGC  
 -2667 CAGGCTAGCT CTAACACCAT TTCTCCCTT TCCCTCTCT CAAATTCAC TATCTTTTTT  
 -2607 TTTTTTTTTT TTTTGGATT TTTGAGACAG GGTCTCTCTG TATAGCCCTG GTTGCTCTGG  
 -2547 AACTCACTTT GTACACCAGC CTGGCCTCGA ACTCAGAGAT CCACCTGCCT CTGCCTCCTG  
 -2487 AGTGCTGGGA TTAAAGGCGT GCGCCACCAC GCCCGGCTAA ATTCACCTAT CTATTTAATG  
 -2427 TATATAGGGT ATAGGCTGCC CTTGAACCTA CAAAGATCTG CTGCTTTGC TTCTGGAATA  
 -2367 CTAAAGGTGT GTGCTACCAT CACAGGGACC AAGATTTATT TTAATCTGT ATATGTGTGT  
 -2307 GTGTGTGTGT GTGTATGGGG GGTGCACATG AGTACAGATT CCCTTGAGAG CCTGGGGTGG  
 -2247 CTTAGGACTG GGGTTACAAC AGTTGTGACC CATCTACAT AGGTCTGGC ACCAACACCC  
 -2187 CCCCCCCCCC CCCCCGTCTT CCAGAAGTGC AGCAGGTGTT CTAACTGCT GAGCCAGCAA  
 -2127 TCCAGCCCCT GACTTCCCTC TCTTACTTAA GAAGCTATCA CAGTGTCTCA CTGGGTCACA  
 -2067 ATCATGACTA GTCCTTGCTC ATGGCCCA CA GCTCTTCCC CACTGTGGGT TTTGCCCCGC

-2007 AGCTCTGCCG CCCCAGCGCT GCACCCGAGG CCTGACAGAG CCAGGCACGA AGTCAGGGTT  
 -1947 TGTGGAATGG ATGAATGAAC TTGACTCGTG GCAGAGCATT GTAATTTACA AAGCACTTTC  
 -1887 CCATCCATTA ACTCCAGGGC TATTTCTTAA GAGTCTCCC TGTCTCCAC TGCCCTCGGC  
 -1827 TCAGAGGCAT ACGGTCAAGG CAGTGGCTGG GGAACACTCC CTGAATGAGA TCAAGGAGGG  
 -1767 CTTGTTTACA GAGAAAGGA GAATCCATT GGGGAGCCTG AGAGTGACTC GAAGGCAAGG  
 -1707 ACTGGGCCTC ACCTGTGGGA TCTCCATCTG TGAGCATCCG CTCATCAGAC CAGTGTGAGA  
 -1647 TATTTTAAAT AAGGCCCTA AGCCTCTTGA CTACTGGAAT TGCCAGGGGC GGGGGACAGA  
 -1587 TGGGCACCCA TCCCTATTTA ACAGATAACA AGACTGAGTC CAGAGAGGCA GTGCACCTGC  
 -1527 CCTGGTCTCT CTTAGTTCCT CAGCATCAGT GGAGCAGATT GGACACAGTG GGCCAGAAGG  
 -1467 GAAGCAGGCA GCCCTCCCTC CTAGCCCAAG CTACTCTGTG TAGTCAGTTT GCCCTCCTAC  
 -1407 TGGTGTTACA AGAAGCCTGT GGTATCCAAG AGGGCAGGTC AGAAAGCCCA CTGAGAGCAG  
 -1347 ACACTGTGTG TCACTTAGCT GGTTCCTCAGG TGGCTGCCAC TTCTGTCTGC CTGTTGCAAA  
 -1287 ACTCGACACT AGGCCTTTAT AGATACTCAC GTGACCAGGA GTAAACAACC TTTCACCTCA  
 -1227 ATCACCTGCT CTTATCAATA CTCCTCTCC ACCCCACCAT CGGGAAAGTT CAGACACCTT  
 -1167 AAAACGTAGA GGCAAGAGAG GGTCCATTCT GACACCTCAG CGACTTTCAG GCAGTGCGTG  
 -1107 AACCCGTAC AACGCTCTGT GGACAGTCTT CCTAGTCCAC ATTCTTCTC AGGTTTGACC  
 -1047 CTGTCTGGG AAGTGAGGCT TCTCTCTCTG GGTTCCTCAC TCCTGTTCTT GAATAAGGAG  
 -987 CCCCACAACC TCTTATTCTC TCTATACAGA GCCTGGGAAA CAGCAAAACT CGGCTCGCCT  
 -927 ACAAGACTCC AGCGCGCCT CTGGTGGACT CGGGGGACGA GCATGGGATG AGGGTTTCTT  
 -867 TCCTCTAGCT CCCCCACCGC GCGGAGAGTA CCTGGGCGGA CCCACAGTTC GCCACGCAGG  
 -807 TTGGGAGGCC CAGATGAGTG ATAAGGTAGT AGTTAGCTGC TCCTCCACC CCACTCCCCA  
 -747 AAGGACATCA GCACCCACGT CTGTCACCGA AGAACCAGGC AATGGGCGGA TGAGCTGAGG  
 -687 CCAGGTAGCT GCTTCTAAGT CAGTGTCTCC TCCACTTCTG GATCTCACAG CTTCACTTT  
 -627 TGGACCTGTC TACAGGTAAA TGTCGCGCAT CCCCTCCTC CACTTCCTAG GTCCCCAGTG  
 -567 GGCTGGTGGC TGAATGGTCC TACGTCCCTT TTGGTTGGCA CGGGATGCTT GGAACGTAC  
 -507 ATGAGGACCT CGGGGTGGCC TGGGTGCAGA GGGAGGGGAG CGTCCCCGCG GGGATCAAAA  
 -447 GAAAGGGAAG GGGTGCCAGG AGGGAGCCTC TCCCGGCTGG CCTCCTAGAA CTGCCCGCGC  
 -387 GCTCCCATCG CGACGCCCCC GCCTCTGCCA GAAACCAGCC TTCTTAGAAG GGAGGGGGGG  
 -327 GAAAGTGTGA ATGAGAAGTT GGGGGCGGAG CGCGCGGGG AGGGGCCGCT GCCAGGAACG  
 -267 CTCGGCCAAG GCTGGCGCGG CGCCGCGCGG TCGGGCAGCC TCGCGCCGCG CTTTGTCTCC  
 -207 CTCTCGGTGA GTCTCGGCGG GTCTGGAGG CCCCAGCTCC AAGCCCGCCC TCCGAGCCC  
 -147 CTCCTCGCC CTCGCGCAC AGCCTTTCAG TGCAGAGTAG TGAATAACA TTACAAGAAG  
 -87 ACCGGCCGGG CAGTTCCAGG AATCGGGGGG CGGGCGTAC TGGCCGGGTA AATACCCGC  
 -27 CGCGCGGCCT CCGAGGCGGC TCTAACTCTG ACTCTACACT CGCCCGCTCC TACGACCGCT  
 +34 GTCTCTCCGG GCTCCCGGAC GCCCCCTTCC CGGCCAGCT CTCCGTGAG GTCCCTCGCC  
 +94 CAGGTCTTT GCCTGATTCG CCCAGGAGTG CGCTCATCG GCCCGGGGAG CAGCGAAGCC  
 +154 AGAGGGGGCG CACGCACGGG GAGCCCCCTT GTAGACTTCA CGGCTGCCAA CATCTGGGCG

+214 CAGCGCGAGC CACTGCTGGG CGCCGCCTCG CCTCGGGGAC CATAGGAGGC GCAGCCCCAA  
 +274 GGCCGGAGAT TTCGCT TCGG GACTAGGTAG GAAGGAGGGG CGCGGTGTGG GGAAGGGTGG  
 +334 GGGCATCGGT CCAGCTCGGG AGCTTTTCCC GGTTCCTCCT CCCCTTCCCG GTCAATCCC  
 +394 GGTAGGGAGG GGACGAGGCA GGGGGCAGAG CGGATGAGAA CCGAAGATCC CTGATTCCCG  
 +454 TCATACTCAG ACTGGGGCCC TCGGGTTTCT CCTGTCCCT CTCTACATA TCTCGGGTTT  
 +514 GGCACCCCC TTTTTCGCC CTCGCCACTG AGGACACCG ACTGAGAGGC GCCCTGAGCG  
 +574 TCCCTAGGGC TCTGTGTCT CTCCTCATCC TGGCCGCGCT CCTGGAGACC CAACTCCAC  
 +634 GCGCGAGTTT TCTTGGGCG TCCTCTAGG GCGGGCAGGG GAAGAGACTG TCTGGGGTTG  
 +694 GCCGGCAGTG ACCGAGGACA GTCGAGTTCC GCGAGGTGCG TGGGCCTGAG ACACGGTCTA  
 +754 AAGCGGGCA AAGGGGTGCC CCGGGCGCTA GGCGGAGGCT GGAGGGCCGG GCACGCTGGA  
 +814 GGGTTCGGG CACTCACGG CCTCACGCTT TGCTCTCTGC AGCTCCCGG GATGCGGTAG  
 +874 CGGCCGCTGT GCGGAGGCCG CGAAGCAGCT GCAGCCACCG CCGCGCAGAT CCACGCTGGC  
 +934 TCCGTGCGCC ATGGTCACCC ACAGCAAGTT TCCGCGCGCC GGGATGAGCC GCCCCCTGGA  
 +994 CACCAGCCTG CGCCTCAAGA CCTTCAGCTC CAAAAGCGAG // (SEQ. ID. NO.:1)

A preferred embodiment of the SOCS-3 promoter of the present invention is a DNA fragment with the sequence of nt. -2907 to +1033, inclusive (SEQ. ID. NO.:1). Other preferred embodiments of the SOCS-3 promoter include any operative fragment of SEQ. ID. NO.:1 or non-murine homologue thereof, or an operative derivative of any of these.

5 Preferred examples of an operative fragment include the -2759 to +104 fragment (SEQ. ID. NO.:2); the -2759 to +927 fragment (SEQ. ID. NO.:3); the -1864 to +927 fragment (SEQ. ID. NO.:4); the -857 to +927 fragment (SEQ. ID. NO.:5); the -63 to +927 fragment (SEQ. ID. NO.:6); the -97 to +927 fragment (SEQ. ID. NO.:7); the -97 to +104 fragment (SEQ. ID. NO.:8); the -87 to +927 fragment (SEQ. ID. NO.:9); the -87 to +104  
 10 fragment (SEQ. ID. NO.:10); and the -275 to +158 fragment (SEQ. ID. NO.:11). A most preferred example is the -161 to +927 fragment (SEQ. ID. NO.:12).

Non-murine homologues include any SOCS-3 promoter sequence of non-murine origin that functions in a vertebrate cell type of interest.

15 Another preferred embodiment of a SOCS-3 promoter is an operative derivative of SEQ. ID. NO.:1, or of any operative fragment of SEQ. ID. NO.:1 or non-murine homologue thereof, having the translational start site (the ATG in bold at nt. +944 to +946 of the murine sequence above) changed to ATT, or changed to a codon sequence, other than ATT, that is also not recognized as a translational start site; another preferred SOCS-3 promoter is a

derivative of SEQ. ID. NO.:1 with the codon of the first translational start site deleted altogether. Other operative derivatives include SOCS-3 promoter sequences containing a mutation, polymorphism, or variant allele with respect to any nucleotide position of SEQ. ID. NO.:1 that does not fully eliminate promoter activity, for example, a deletion of nt. -101 to -62, or a deletion of nt. -80 to -60, or a mutation of nt. -74 to -66. The skilled practitioner is aware of suitable methods for site-directed mutagenesis, e.g., the method of Deng and Nickoloff (W.P. Deng and J.A. Nickoloff, *Analyt. Biochem.*200:81-88 [1992]), and commercial site-directed mutagenesis kits are available, for example the Transformer® site-directed mutagenesis kit (Clontech).

The murine SOCS-3 gene promoter contains a pair of STAT binding elements TT(N<sub>3</sub>)AA, separated by 14 nucleotides, at nt. -74 to -66 and at nt. -97 to -88. In this respect, the murine SOCS-3 promoter is structurally similar to the human CIS gene promoter, which contains two functionally important pairs of STAT binding elements and is upregulated by a STAT-5 dependent pathway. (A. Yoshimura *et al.* [1995]; A. Matsumoto *et al.* [1997]; F. Verdier *et al.*, *Mol. Cell. Biol.* 18:5852-60 [1998]). However, for activity from the present SOCS-3 promoter, only the STAT binding element at -74 to -66 is essential for optimal operability.

In a preferred embodiment, the SOCS-3 promoter is operatively linked to a DNA having a DNA sequence encoding any preselected protein or series of preselected proteins. For purposes of the present invention, "operatively linked" means that the promoter sequence, is located directly upstream from the coding sequence and that both sequences are oriented in a 5' to 3' manner, forming a transcriptional unit, such that transcription could take place in vitro in the presence of all essential enzymes, transcription factors, co-factors, activators, and reactants, under favorable physical conditions, e.g., suitable pH and temperature. This does not mean that, in any particular cell, conditions will favor transcription.

These DNA sequence encoding a preselected protein(s), or a gene-specific part, are derived from the genome of any eukaryotic organism, prokaryotic organism, or virus, and can be autologous, allogeneic, or xenogeneic with respect to the host cell. DNA sequences having a "normal" form of a gene, or a desirable allele thereof are useful in genetic therapy to compensate for endogenous production of defective protein(s) or the underexpression or

overexpression of normal protein(s). In some embodiments, natural variant alleles of a gene are used, or novel genetic modification(s) are artificially induced in the DNA sequence encoding the preselected protein. Variant alleles or mutations are not limited to single nucleotide polymorphisms (SNPs), but also include deletions, insertions, inversions, translocations, transitions, transversions, or repeats. Mutations or variations are artificially induced in the DNA sequence encoding the preselected protein by a number of techniques, all of which are well known in the art. Alternatively, the DNA sequence linked to the SOCS-3 promoter encodes a gene-specific antisense RNA, such as an antisense RNA that specifically hybridizes to SOCS-3 mRNA, preventing translation therefrom. In another embodiment, the DNA sequence encodes a catalytic RNA, such as a "hairpin" or "hammerhead" ribozyme, that specifically hybridizes to a predetermined mRNA of interest and cleaves it, thereby preventing any further translation therefrom.

Most preferably, transcription of the DNA sequence from the SOCS-3 promoter results in RNA transcript that is biologically active in the cell or organism of interest, for example, as mRNA that is translated into functional protein(s); or as antisense RNA that specifically hybridizes with a functional mRNA of interest, for example a SOCS-3 mRNA, and thus prevents its translation to protein; or as catalytic RNA that specifically hybridizes with and cleaves a predetermined mRNA of interest.

In one embodiment, the preselected protein is a SOCS-3 protein, or a functional fragment thereof. Transcription of the DNA sequence encoding the SOCS-3 protein produces mRNA transcript, which is translated into SOCS-3 protein, or a functional fragment thereof. Thus one benefit of the present invention is that the nucleic acid can be used in a genetic therapy to correct clinical disorders derived from defective negative regulation of cytokine signal transduction in GH-responsive or gp130-responsive cells. Such defective negative regulation can result from, but need not result from, endogenous underexpression of functional SOCS-3 protein, which protein inhibits in an autocrine manner the cytokine-induced Jak-STAT cascade and SOCS-3 protein synthesis itself. But an unmodulated cellular response to GH and IL-6-type cytokine signaling caused by a defect in any of various components of the cellular signal transduction mechanism can also be negatively regulated using the present nucleic acid construct containing a DNA sequence encoding a SOCS-3 protein, or a functional fragment thereof.

In another embodiment, the DNA sequence operatively linked to the SOCS-3 promoter, encodes a SOCS-3-specific nucleotide sequence, transcription of which results in the production of RNA transcript in an antisense orientation that can hybridize to SOCS-3-encoding mRNA to prevent synthesis of SOCS-3 protein. In another embodiment, SOCS-3-specific sequences are included in a DNA sequence that encodes a catalytic RNA that specifically hybridizes to SOCS-3 mRNA. These embodiments are beneficially applied to genetic therapy to correct clinical disorders derived from negative overregulation of cytokine signal transduction in GH-responsive or gp130-responsive cells.

Other preferred embodiments of the present nucleic acid construct also include, operatively linked to the SOCS-3 promoter, a DNA sequence encoding a reporter protein for facilitating the detection or selection of cells containing the present nucleic acid construct and expressing from the SOCS-3 promoter. Preferably, but not necessarily, the reporter gene encodes a fluorescent protein. Fluorescent proteins include green fluorescent protein (or enhanced green fluorescent protein), yellow fluorescent protein, blue fluorescent protein, a phycobiliprotein, such as phycoerythrin or phycocyanin, or any other protein which fluoresces under suitable wave-lengths of light. Another reporter gene suitable for some applications is a gene encoding a protein that can enzymatically lead to the emission of light from a substrate(s); for purposes of the present invention, such a protein is a "light-emitting protein." For example, a light-emitting protein includes proteins such as luciferase or apoaquorin.

The DNA of animal cells is subject to methylation at the 5' carbon position of the cytidine bases of CpG dinucleotides. Unmethylated CpGs are found preferentially in transcriptionally active chromatin. (T. Naveh-Many *et al.*, *Active gene sequences are undermethylated*, Proc. Natl. Acad. Sci. USA 78:4246-50 [1981]). Hypermethylation is associated with transcriptional repression. (R. Holliday, *The inheritance of epigenetic defects*, Science 238:163-70 [1987]). Since some vertebrate cell types of interest may silence expression from the present SOCS-3 promoter sequence by methylation, the skilled practitioner is aware that suitable insulator elements are employed to prevent methylation of the promoter sequence. Preferably, this is done by flanking the transcriptional unit of the promoter sequence and included gene(s) with insulator elements. For example, by including double copies of the 1.2 kb chicken  $\beta$ -globin insulator element 5' to the SOCS-3 promoter

sequence and 3' to the operatively linked gene(s) in the present DNA construct, methylation will be substantially prevented at CG dinucleotide sites within the SOCS-3 promoter sequence and thus expression therefrom occurs. (M.J. Pikaart *et al.*, *Loss of transcriptional activity of a transgene is accompanied by DNA methylation and histone deacetylation and is prevented by insulators*, Genes Dev. 12:2852-62 [1998]; Chung *et al.*, *DNA sequence which acts as a chromatin insulator element to protect expressed genes from cis-acting regulatory sequences in mammalian cells*, U.S. Patent No. 5,610,053).

The present invention also relates to a transgenic vertebrate cell containing the nucleic acid construct of the present invention, regardless of the method by which the construct was introduced into the cell. The present cell is a growth hormone (GH)-responsive or gp130-responsive cell, for example, a cell that specifically binds any IL-6-type cytokine (i.e., binds a cytokine of the gp130 signaling subunit cytokine family). Embodiments include pituitary cells, hypothalamic cells, adrenal cells, intestinal cells, kidney cells, liver cells (e.g., hepatocytes), immune-competent cells, or bone-forming cells, such as chondrocytes. In one embodiment, the present cell is a corticotroph cell, but the cell may also be an intestinal epithelial cell, a lymphocyte, a somatotroph, a lactotroph, or a gonadotroph cell. For some in vitro applications, for example with a wide variety of non-murine cells, inhibitors of histone deacetylation and DNA methylation, such as trichostatin A or sodium butyrate, can be included in the culture medium to prevent possible silencing of expression from the SOCS-3 promoter. (M.J. Pikaart *et al.* [1998]).

The transgenic cells of the present invention are detected, isolated or selected from non-transgenic cells with the aid of, for example, a flow-activated cell sorter (FACS), set at the appropriate wavelength(s). Alternatively, the transgenic cells are detected, isolated or selected manually from non-transgenic cells using conventional microscopic technology.

In particular applications involving a transgenic cell that expresses additional xenogeneic genes from any promoter, this expression may be linked to a reporter gene that encodes a different fluorescent or light-emitting protein from the reporter gene linked to the SOCS-3 promoter. Thus, multiple reporters fluorescing or emitting at different wavelengths can be chosen and cell selections based on the expression of multiple traits can be made.

The present invention also relates to transgenic non-human vertebrates comprising such cells, for example, non-human primates, mice, rats, rabbits, gerbils, hamsters, canines,



felines or other non-human mammals. Other vertebrates include birds such as chickens, turkeys, ducks, ostriches, emus, geese, guinea fowl, doves, quail, rare and ornamental birds, and the like. Broadly speaking, a "transgenic" vertebrate is one that has had foreign DNA permanently introduced into its cells. The foreign gene(s) which (have) been introduced into  
5 the animal's cells is (are) called a "transgene(s)." The present invention is applicable to the production of transgenic vertebrates containing xenogeneic, i.e., exogenous, transgenic genetic material, or material from a different species, including biologically functional genetic material, in its native, undisturbed form. In other embodiments, the genetic material is "allogeneic" genetic material, obtained from different strains of the same species, for  
10 example, from animals having a "normal" form of a gene, or a desirable allele thereof.

Gene delivery is by any suitable method including in vivo and vitro gene delivery methods. (E.g., D.T. Curiel *et al.*, U.S. Patent Nos. 5,521,291 and 5,547,932). Typically, gene delivery involves exposing a cell to a gene delivery mixture that includes preselected genetic material together with an appropriate vector, mixed, for example, with an effective  
15 amount of lipid transfecting agent (lipofection). The amount of each component of the mixture is chosen so that gene delivery to a specific species of cell is optimized. Such optimization requires no more than routine experimentation. The ratio of DNA to lipid is broad, preferably about 1:1, although other proportions may also be utilized depending on the type of lipid agent and the DNA utilized. This proportion is not crucial. Other well  
20 known gene delivery methods include electroporation or chemical methods. (E.g., M. Ostresh, *No barriers to entry: transfection tools get biomolecules in the door*, The Scientist 13(11):21-23 (1999).

"Transfecting agent", as utilized herein, means a composition of matter added to the genetic material for enhancing the uptake of exogenous DNA segment(s) into a vertebrate  
25 cell. The enhancement is measured relative to the uptake in the absence of the transfecting agent. Examples of transfecting agents include adenovirus-transferrin-polylysine-DNA complexes. These complexes generally augment the uptake of DNA into the cell and reduce its breakdown during its passage through the cytoplasm to the nucleus of the cell.

Other preferred transfecting agents include Lipofectin<sup>®</sup>, DMRIE C, Cellfectin<sup>®</sup> or  
30 Lipofectamine (Life Technologies), LipoTAXI (Stratagene), Superfect or Effectene (Qiagen). Although these are not as efficient gene delivery (or transfecting) agents as viral transfecting

agents, they have the advantage that they facilitate stable integration of xenogeneic DNA sequence into the vertebrate genome, without size restrictions commonly associated with virus-derived transfecting agents. A virus, or transfecting fragment thereof, can be used to facilitate the delivery of the genetic material into the cell. Examples of suitable viruses  
5 include adenoviruses, adeno-associated viruses, retroviruses such as human immune-deficiency virus, other lentiviruses, such as Moloney murine leukemia virus and the retrovirus vector derived from Moloney virus called vesicular-stomatitis-virus-glycoprotein (VSV-G)-Moloney murine leukemia virus, mumps virus, and transfecting fragments of any of these viruses, and other viral DNA segments that facilitate the uptake of the desired DNA  
10 segment by, and release into, the cytoplasm of cells and mixtures thereof. All of the above viruses may require modification to render them non-pathogenic or less antigenic. Other known vector systems, however, are also useful.

The present invention also relates to a method of treating a growth retardation disorder in a human subject, especially in a child or adolescent. The method involves  
15 genetically modifying a GH-responsive or gp130-responsive cell of a human subject having a growth retardation disorder, typically resulting in short stature, such as, but not limited to, dwarfism, GH deficiency, gonadal dysgenesis, chondrodystrophy, bone-cartilage dysplasia, or an idiopathic condition of severe short stature. Typically, the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent, or bone-forming cell that is responsive to a growth-  
20 inducing cytokine in a paracrine manner. Examples include hepatocyte, lymphocyte, lymphocyte, chondrocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cells, or cells derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver tumor, or bone tumor.

The cell(s) are genetically modified by any suitable method, in vivo or in vitro, for  
25 example by transfection or transduction, using a nucleic acid construct of the present invention, comprising a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding an RNA that specifically hybridizes to a functional SOCS-3 mRNA, i.e., a SOCS-3-specific antisense RNA. In response to the presence of a growth-inducing cytokine, in vivo, the cell  
30 transcribes, from the transcriptional unit, RNA transcript that hybridizes to SOCS-3 mRNA, preventing translation therefrom. This RNA transcript can be an antisense RNA or a catalytic

RNA (ribozyme) that cleave the SOCS-3 mRNA. As a consequence, the amount of SOCS-3 protein produced within the genetically modified cell(s) is reduced relative to unmodified cells of the same kind, and one or more symptoms of the growth retardation disorder in the human subject are thereby improved, due to a lessening of SOCS-3-mediated suppression of gp130-mediated signal transduction from growth-inducing cytokines, such as GH, within the genetically modified cell(s).

The present invention also relates to a method of treating a growth acceleration disorder in a human subject. The method involves genetically modifying a GH-responsive or gp130-responsive cell from a tissue of a human subject having a growth acceleration disorder, resulting in greater than normal enlargement of one or more parts of the body, such as, but not limited to, gigantism, acromegaly, Cushing's disease, or an idiopathic condition resulting in abnormal, non-edemic enlargement of bones, or facial or other soft tissue features. Typically, the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent or bone-forming cell that is responsive to a growth-inducing cytokine in a paracrine manner.

Examples include hepatocyte, lymphocyte, chondrocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cells, or cells derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver tumor, or bone tumor.

The cell(s) are genetically modified by any suitable method, in vivo or in vitro, for example by transfection or transduction, using a nucleic acid construct, in accordance with the present invention, comprising a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein, or functional fragment thereof. In response to a growth-inducing hormone or cytokine, in vivo, SOCS-3 mRNA transcript is transcribed from the transcriptional unit, resulting in translation of SOCS-3 message to SOCS-3 protein. The amount of SOCS-3 protein produced is thereby enhanced in the genetically modified cell(s) in response to the presence of a growth-inducing cytokine, such as GH or a cytokine of the gp130 signaling subunit family, compared to the amount in unmodified cells of the same kind. The symptom(s) of the growth acceleration disorder in the subject are thereby improved, due to increased SOCS-3-mediated cytokine signal suppression within the genetically modified cell(s). Thus, for example, in pituitary corticotroph cells, ACTH secretion is suppressed by increased levels of SOCS-3, ultimately leading to less production of glucocorticoid hormones

by the adrenals and ameliorating symptoms of Cushing's disease. Similarly, the effects of excess GH, as for example in acromegaly, are moderated in accordance with the present method.

5 The present invention also relates to a method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject. Such diseases or conditions include, but are not limited to, Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, allergic or anaphylactic reactions, or neuroendocrinological responses to psychological or physical stress. The method involves genetically modifying a cell(s) from the subject that is gp130-responsive, 10 i.e., responsive to at least one pro-inflammatory cytokine, such as IL-6, LIF, or any other pro-inflammatory cytokine for which signal transduction is gp130-mediated. Typically, the cell is a pituitary, adrenal, hypothalamic, liver, intestinal, nerve, kidney, immune-competent, or bone-forming cell that is responsive to a pro-inflammatory cytokine in a paracrine manner. Examples include hepatocyte, lymphocyte, chondrocyte, neuron, intestinal epithelial, 15 corticotroph, somatotroph, lactotroph, or gonadotroph cells.

The cell(s) are genetically modified by any suitable method, in vivo or in vitro, for example by transfection or transduction, using a nucleic acid construct comprising a SOCS-3 promoter sequence, or an operative fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein, or functional fragment thereof. In 20 response to an inflammatory cytokine of the gp130 signaling subunit family, in vivo, SOCS-3 mRNA transcript is transcribed from the transcriptional unit, resulting in translation of SOCS-3 message to SOCS-3 protein. The amount of SOCS-3 protein produced is thereby enhanced in the genetically modified cell(s) in response to the presence of an inflammatory cytokine of the gp130 signaling subunit family, compared to the amount in unmodified cells 25 of the same kind. One or more symptoms of the autoimmune disease, immune disease, or inflammatory condition in the subject are thereby improved, due to a relative increase in SOCS-3-mediated signal suppression.

In another embodiment, the nucleic acid construct that is used in the method comprises a SOCS-3 promoter sequence, or operative fragment thereof, operatively linked, 30 in a transcriptional unit, to a DNA sequence encoding a functional anti-inflammatory cytokine of the gp130 signaling subunit cytokine family, such as IL-11, linked to a functional

secretory signal. In response to the presence of a pro-inflammatory cytokine of the gp130 signaling subunit cytokine family, in vivo, the anti-inflammatory cytokine is produced and secreted by the modified cell(s), which has both paracrine and autocrine effects that improve One or more symptoms of the autoimmune disease, immune disease, or inflammatory condition in the subject.

In some embodiments of the present methods, gene delivery is done in vitro, and the cell(s) is first obtained from a tissue of the human subject by any suitable biopsy method, for example percutaneous biopsy, laparoscopic biopsy, or stereotactic cranial biopsy. Gene delivery is accomplished in vitro, and the genetically modified cell(s) are then re-implanted within the tissue of the human subject.

The nucleic acid construct that is used in the present methods optionally contains a reporter gene for convenient detection, isolation or selection of transgenic cells expressing from the SOCS-3 promoter as described herein. For particular applications, other DNA sequences encoding other preselected proteins are optionally linked to the SOCS-3 promoter, making their expression inducible by IL-6-type cytokines and gp130-mediated signal transduction.

The present invention also relates to a kit for genetically modifying a vertebrate cell. The kit is a ready assemblage of materials or components for facilitating the genetic modification of a vertebrate cell. The kit includes a polynucleotide comprising a murine SOCS-3 promoter sequence having SEQ. ID. NO.:1, or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these, as described herein with respect to the nucleic acid construct of the present invention. Preferably the polynucleotide includes a transcriptional unit that contains the SOCS-3 promoter, operatively linked to at least one DNA sequence encoding a preselected protein or to a gene-specific part thereof, such as a SOCS-3 protein, or a functional fragment thereof, and/or a reporter gene for facilitating detection, isolation, or selection of genetically modified cells from unmodified cells. The DNA sequence encoding the preselected protein can be in a sense or antisense orientation as appropriate for a particular application. Some embodiments of the kit are configured for use in practicing the present methods of treating a growth retardation or acceleration disorder in a human subject or the present method of treating an autoimmune disease, immune disease,

or inflammatory condition in a human subject.

The kit optionally contains a suitable transfecting agent, as described above. The kit includes instructions for using the materials or components effectively. The materials or components assembled in the kit are provided to the practitioner stored in any convenient and suitable way that preserves their operability and utility. For example the components can be in dissolved, dehydrated, or lyophilized form; they can be provided at room, refrigerated or frozen temperatures.

The foregoing descriptions of the nucleic acid constructs, transgenic cells, transgenic vertebrates, methods, and kits of the present invention are illustrative and by no means exhaustive. The invention will now be described in greater detail by reference to the following non-limiting examples.

## EXAMPLES

### Example 1: Materials and Methods

Materials. Recombinant murine LIF, IL-6, and IL-11 were purchased from R&D Systems (Minneapolis, MN). Mouse liver Marathon-Ready<sup>®</sup> cDNA, Advantage<sup>®</sup> -GC cDNA polymerase, mouse GenomeWalker<sup>®</sup> Kit, and Advantage<sup>®</sup> -GC genomic polymerase were from Clontech (Palo Alto, CA). Maxiscript<sup>®</sup> T7 polymerase kit and ribonuclease protection kit RPA-II<sup>®</sup> were from Ambion (Austin, TX). Polyclonal STAT-1 p84/p91 (M-22) and STAT-3 (H-190) antibodies were from Santa Cruz Biotechnology (Santa Cruz, CA). Mouse genomic DNA, Erase-a Base<sup>®</sup> system, pGL3 Basic and pSV- $\beta$ -galactosidase vector were from Promega (Madison, WI). TOPO-TA<sup>®</sup> PCR2.1 vector was from Invitrogen (Carlsbad, CA).

Cell Culture. Cell culture of AtT-20/D16v-F2 cells was performed as described (C.J. Auernhammer *et al.* [1998b]; C. J. Auernhammer *et al.* [1998a]). Individual clones of AtT-20 cells, overexpressing SOCS-3 (AtT-20S), mock-transfected (AtT-20M), wild type STAT-3 (AtT-20W) or dominant negative STAT-3 mutants (AtT-20F and AtT-20D), were isolated after stable transfection. (C.J. Auernhammer *et al.* [1998b]; C. Bousquet & S. Melmed, J. Biol. Chem. 274:10723-30 [1998]). From each group, three separate individual clones with high stable overexpression of the respective construct were selected with G418 (1 mg/mL)

for the experiments.

Northern blot analysis. Northern blot analysis was performed as described (C.J. Auernhammer *et al.* [1998b]; C. J. Auernhammer *et al.* [1998a]). To detect endogenous SOCS-3 mRNA in AtT-20S cells, without hybridization to exogenous SOCS-3 mRNA derived from stable overexpression of SOCS-3, a probe spanning exon 1 and the untranslated 5' region of exon 2 as used. Otherwise, the previously described (C.J. Auernhammer *et al.* [1998b]; C. J. Auernhammer & S. Melmed, *Endocrinology* 140:1559 [1999]) murine SOCS-3 probe spanning most of the coding region of SOCS-3 was used.

5'-Rapid Amplification of cDNA Ends (RACE) and RNase protection Assay. 5'-RACE was performed with a pre-made, adaptor-ligated Marathon-Ready® double stranded cDNA derived from pooled BALB/c mouse liver (A. Chenchik *et al.*, *Biotechnol.* 3: 526-34 [1996]) and Advantage®-GC cDNA polymerase using gene-specific primary and nested antisense primers 5'-CAGTAGAATCCGCTCTCCTGCAGCTTG-3' (SEQ. ID. NO.:15) and 5'-CTCGCTTTTGGAGCTGAAGGTCTTGAG-3' (SEQ. ID. NO.:16). Products were cloned into PCR2.1 vector, and multiple single clones sequenced.

RNase protection assay was performed with RPA-II® kit, following the manufacturer's recommendations. A fragment spanning nucleotides +158 to -275 was cloned into PCR2.1 vector; the plasmid was linearized with *Bam*HI, and a <sup>32</sup>P-UTP labeled antisense probe was generated with T7 polymerase.

PCR-based characterization of the 5'-genomic region. The 5'-genomic region of SOCS-3 was cloned using a PCR-based technique (P.D. Siebert *et al.*, *Nucleic Acids Res.* 23:1087-88 [1995]) with pre-made adaptor-ligated genomic DNA fragments, derived from ICR Swiss mice, as provided by the Genomewalk® kit. PCR and subsequent nested PCR were performed by automatic hot-start as touchdown-PCR using Advantage®-GC genomic Polymerase and gene specific antisense primers 5'-CAGTAGAATCCGCTCTCCTGCAGCTTG-3' (SEQ. ID. NO.:15) and 5'-CTCGCTTTTGGAGCTGAAGGTCTTGAG-3' (SEQ. ID. NO.:16). Further genomic walks

in the 5' direction were performed with gene specific antisense primers 5'-CTTCCTACCTAGTCCCGAAGCGAAATC-3' (SEQ.ID.NO.:17), 5'-CAGATGTTGGCAGCCGTGAAGTCTAC-3' (SEQ.ID.NO.:18), 5'-GCGGGCGAGTGTAGAGTCAGAGTTAGAG-3' (SEQ.ID.NO.:19), and 5'-CGATTCCTGGAAGTGGCCGGCCGGTCTTC-3' (SEQ.ID.NO.:20), as well as 5'-CTCAGTGGGCTTTCTGACCTGCCCTCTTG-3' (SEQ.ID.NO.:21) and 5'-GACTACACAGAGTAGCTGGGCTAGGAG-3' (SEQ.ID.NO.:22). Products were cloned into PCR2.1, and single clones were sequenced.

Different Constructs of the 5' Genomic Region of SOCS-3. 3'-Truncated forms of the full-length 3.7-kb construct in pGL3Basic vector (clone 6) were generated by PCR from genomic DNA and subsequent cloning as described above.

5'-Truncated forms of clone 6 were generated using Erase-a-Base<sup>®</sup> kit, following the manufacturer's recommendations. Briefly, the 3.7-kb full-length construct of the 5' genomic region of SOCS-3 in pGL3Basic vector was digested with *Sst*I and *Nhe*I, followed by unidirectional digestion with exonuclease III (S. Henikoff, Gene 28:351-59 [1984]) and subsequent re-ligation.

Mutated forms of clone 6 were generated by overlap extension PCR (A. Aiyar *et al.*, Methods Mol. Biol. 57:177-91 [1996]) with Pfu polymerase and 5% DMSO, by using external sense primer 5'-CATCGCGACGCCCCGCCTCT-3' (SEQ.ID.NO.:23) and antisense primer 5'-GAAACCCGAGGGCCCCAGTCTG-3' (SEQ.ID.NO.:24) with exclusive restriction sites for *Nru*I or *Apa*I, respectively. Internal mutagenizing primers caused deletions of nucleotides -80 to -60 and -101 to -62, respectively. Similarly, the STAT binding element region at -74 to -66 was mutated. Gel-purified PCR-products and the original template were digested with *Nru*I and *Apa*I, fragments were purified, and the mutated fragments were re-ligated into the original 3.7-kb construct in pGL3Basic vector. Each construct was verified by sequencing.

Luciferase Assay. For transient transfection experiments,  $2 \times 10^5$  cells were plated in 6-well plates, incubated for 24 hours, and transfected using Lipofectamine-re and 0.5  $\mu$ g



of constructs in pGL3Basic vector, and 1.0  $\mu$ g pSV- $\beta$ -galactosidase. Transfected cells were first incubated for 24 hours in serum-free DMEM, followed by 6 hours of cytokine treatment and subsequent measurement of luciferase activity. In experiments comparing overexpressing dominant negative STAT-3 mutants or wild type SOCS-3, treatment with LIF was for 45 minutes.

In experiments using different promoter constructs, transfection efficiency was verified by measurement of  $\beta$ -galactosidase activity.

Electromobility shift assay. Nuclear extracts of AtT-20 cells and electromobility shift assay (EMSA) were performed as described (P.D. Siebert *et al.*, Nucleic Acids Res. 23:1087-88 [1995]). Briefly, AtT-20 cells were grown to 80% confluence and were serum-deprived for 24 hours before treatment with  $10^{-9}$  M LIF, followed by cell lysis and preparation of nuclear extracts. For the EMSA, 20- $\mu$ g nuclear extracts were preincubated for 15 minutes at room temperature in 20  $\mu$ L binding buffer (10 mM Tris-HCl, 50 mM NaCl, 1 mM EDTA, 1mM DTT, 0.1% NP-40, 5% glycerol, 1 mg/mL BSA, pH 7.5) with 1  $\mu$ g of poly(dI-dC). A  $^{32}$ P-labeled double stranded oligonucleotide, corresponding to nucleotide sequence -77 to -57 of the SOCS-3 promoter (5'- $^{77}$ CAGTTCCAGGAATCGGGGGGC $^{57}$ -3)(SEQ.ID.NO.:25), was used as a probe (60,000 cpm, 5 fmol per reaction) and added to each sample and binding reaction, performed at room temperature for 20 min. In competition experiments, 100-fold molar excess of unlabeled double stranded competitor oligonucleotides were added to the preincubation reaction with the double stranded oligonucleotide corresponding to nucleotide sequence -77 to -57 of the SOCS-3 promoter, this same oligonucleotide mutated at positions -74, -71, -69, and -66 (underlined) (5'- $^{77}$ CAGATCGACGATTCGGGGGGGC $^{57}$ -3)(SEQ.ID.NO.:26), or the AP-2 recognition site oligonucleotide 5'-GATCGAACTGACCGCCCGCCCGCCGT-3' (SEQ.ID.NO.:27). For supershift experiments 2  $\mu$ g polyclonal STAT-1 p84/p91 or STAT-3 antibody was added to the preincubation reaction and incubated for an additional 60 min at 4°C. Protein-DNA complexes were run on a 6% non-denaturing polyacrylamide gel in 0.5x TBE buffer (90 mM Tris, 64.6 mM boric acid, 2.5 mM EDTA); gels were dried and autoradiographs were exposed (Kodak biomax MS film at -70°C).

Statistical analysis. Statistical analysis was performed by unpaired *t*-test. All values are mean  $\pm$  SEM.

Example 2: 5'-Genomic Sequence of Murine SOCS-3 and Determination of the Transcription Start Site by 5'-RACE and RNase Protection Assay.

5 Based on the sequence information from the 5' genome walk, a full length 5' product of murine SOCS-3 spanning ~3.8-kb of genomic sequence was generated from ICR Swiss mice genomic DNA by PCR with Advantage<sup>®</sup>-GC genomic polymerase using the following sense and antisense primers: 5'-GACGTTCTCTAAAAGCATGCATGTCACCCAG-3' a (SEQ.ID.NO.:28) and 5'-GGATCTGCGCGGCGGTGGCTGCAGCTGCTT-3' (SEQ.ID.NO.:29). Cloning of the product into PCR2.1 vector was followed by verification of sense orientation, sequencing, restriction enzyme digestion with *SsrI* and *XhoI*, and subcloning of a ~3.7-kb construct into pGL3Basic vector (clone 6). Sequence information was obtained for the whole 3.8 kb. (SEQ. ID. NO.:1).

15 5'-RACE revealed the existence of an untranslated exon 1 (+1 to +289), separated from exon 2 (starting at +854) by an intron (+290 to +853). Using Rnase protection assay, the main transcription start site was defined and is referred to as +1. The previously determined translation initiation site for murine SOCS-3 (GenBank Accession U88328) (R. Starr *et al.*, Nature 387:917-21 [1997]) was in exon 2 at +944.

20 Example 3: Effects of Different Cytokines on SOCS-3 Promoter Activity and Gene Expression

Figure 1 shows the stimulatory effect of various cytokines on expression from the SOCS-3 promoter sequence. AtT-20 cells were either untreated, or stimulated with  $0.5 \times 10^{-9}$  M LIF, IL-6, or IL-11 for 60 or 120 min. Northern blot analysis showed a SOCS-3-specific signal of uniform transcript size of ~2.8 kb (Fig. 1A).

25 LIF was the most potent inducer of SOCS-3 mRNA expression. Although IL-6 and IL-11 were less potent stimuli of SOCS-3 gene expression, they each showed a similar pattern of SOCS-3 mRNA induction. (Fig. 1A).

For measurement of SOCS-3 promoter activity, transient transfections of AtT-20 cells

were performed either with pGLBasic alone or with clone 6, a construct containing nucleotides -2,759 to +927 of the 5'-genomic region of murine SOCS-3 linked to the luciferase reporter gene in pGL3Basic vector. (Figure 1B). Relative SOCS-3 promoter activity is indicated by relative light unit values in Figure 1B, calculated from 4 independently performed experiments. Each experiment was performed with  $n = 3$  wells per group. Asterisks indicate in-group significance of untreated (-) vs. treated (+); \*,  $P < 0.05$ ; \*\*,  $P < 0.01$ . AtT-20 cells transfected with clone 6 showed a significantly higher basal luciferase activity than cells transfected with pGL3Basic alone ( $4043 \pm 443$  vs.  $1611 \pm 398$  relative light units [RLU];  $P < 0.001$ ). Stimulation with  $0.5 \times 10^{-9}$  M LIF, IL-6, or IL-11 caused no further increase of luciferase activity in control AtT-20 cells transfected with pGL3Basic alone. However, in comparison to untreated cells, AtT-20 cells transfected with clone 6 showed an approximately 10-fold ( $P < 0.01$ ) increase in luciferase activity following stimulation with LIF, a 2-fold (not significant) increase following stimulation with IL-6, and a 3-fold ( $P < 0.05$ ) stimulation of luciferase activity by IL-11. (Fig. 1B).

Activation by LIF, IL-6 and IL-11, of SOCS-3 promoter activity and gene expression thus is concordant with our finding of a functionally important STAT-1/STAT-3 binding element in the murine SOCS-3 promoter region.

#### Example 4: Effect of Overexpressed Dominant Negative STAT-3 Mutants or Wild Type SOCS-3 on LIF-induced SOCS-3 Gene Expression and Promoter Activity

Expression from the SOCS-3 promoter is partly dependent both on the expression of STAT-3 and SOCS-3 itself. Figure 2 shows the effect of overexpressed dominant negative STAT-3 mutant or wild type SOCS-3 on LIF-induced SOCS-3 gene expression and promoter activity in AtT-20 cells. AtT-20 cells overexpressing wild type STAT-3 (AtT-20W) showed a  $5.4 \pm 0.7$ -fold increase of SOCS-3 mRNA levels after stimulation with  $0.5 \times 10^{-9}$  M LIF for 45 min. In comparison, AtT-20 cells overexpressing the dominant negative mutants STAT-3F (AtT-20F) and STAT-3D (AtT-20D) both showed relatively diminished induction of SOCS-3 mRNA after stimulation with LIF:  $3.4 \pm 0.4$  ( $p = 0.07$ ) and  $2.6 \pm 0.1$ -fold ( $p < 0.02$ ), respectively. (Fig. 2A, 2B). Similarly, transient transfection experiments with clone 6 showed stimulation of luciferase activity by LIF ( $6.9 \pm 0.5$ -fold) in AtT-20W cells,

but only  $5.4 \pm 0.5$ - ( $P=0.09$ ) and  $3.4 \pm 0.4$ -fold ( $P<0.01$ ) stimulation were observed in AtT-20F and AtT-20D cells, respectively. (Fig. 2C). These results, showing that LIF-induced SOCS-3 promoter activity and gene expression is decreased in these dominant negative STAT-3 mutant transfectants, indicate that SOCS-3 promoter activity is at least partly dependent on wild type STAT-3 expression. (Fig. 2A-C).

Overexpression of wild type SOCS-3 in AtT-20 cells abrogated LIF-induced SOCS-3 promoter activity and gene expression. (Fig. 2D-F). Mock-transfected AtT-20 cells (AtT-20M) showed an approximately 5-fold increase of SOCS-3 mRNA levels after 45 min stimulation with  $0.5 \times 10^{-9}$  M LIF, while AtT-20 cells overexpressing wild type SOCS-3 (AtT-20S), showed a significant inhibition of LIF-induced SOCS-3 mRNA expression. (Fig. 2D, 2E). Similarly, transient transfection experiments with clone 6 revealed luciferase activity to be stimulated by LIF ( $9.9 \pm 1.3$ -fold) in AtT-20M cells, while LIF-induced luciferase activity in AtT-20S cells was abrogated and did not differ substantially from luciferase activity in untreated AtT-20S cells. (Fig. 2F). These results indicate a negative autoregulatory feedback of SOCS-3 on its own cytokine-induced gene expression.

LIF-induced SOCS-3 mRNA and luciferase activity were each calculated from 3 independently performed experiments. Each experiment was performed with 3 different clones per group. LIF-induced luciferase activity was normalized to the untreated control for each clone.

Example 5: Functional Analysis of Different SOCS-3 5' Region-luciferase constructs.  
Clone 6 is the -2757 to +929 5' genomic region of murine SOCS-3 linked to the luciferase reporter in pGL3Basic vector. 3'-Truncations of clone 6 were: clone 4 (nt. -2759 to +104) and clone 2 (nt. -2759 to -716). 5'-Truncations of clone 6 were: clone 6T1 (nt. -1864 to +927); clone 6T2 (nt. -857 to +927); clone 6T3 (nt. -152 to +927); and clone 6T4 (nt. -63 to +927). Analysis of clone 6 sequence with Mat Inspector V2.2 (K. Quandt *et al.*, Nucleic Acids Res. 23: 4878-84 [1995]), revealed potential STAT binding sites containing the consensus binding sequence TT(N)<sub>3</sub>AA (C.M. Horvath *et al.*, Genes Dev. 9:984-94 [1995]; J.E. Darnell, Jr., Science 277:1630-35 [1997]; S. Becker *et al.*, Nature 394:145-51 [1998]) located at nt. -97 to -89 and nt. -74 to -66, as well as at nt. -347 to -339 and -1403 to -1395. However, only the STAT binding site from nt. -74 to -66 showed the more specific

sequence TTCCAGGAA, indicating a potential binding site for STAT-1 and STAT-3.

Therefore, in subsequent experiments, the focus centered on the STAT binding site at nt. -74 to -66, constituting part of the tandem STAT binding region pair of nt. -97 to -89 and nt. -74 to -66. Using overlap extension PCR, we deleted the complete tandem STAT binding region from nt. -101 to -62 (clone 6D2), or only the 3'-located STAT binding element from nt. -80 to -60 (clone 6D1). In clone 6M1, the 3'-located STAT binding element from nt. -74 to -66 was not deleted, but mutated to ATCGACGAT, thus destroying the specific binding sequence TTCCAGGAA (SEQ.ID.NO.:13). Clone 8 was a minimal -275 to +158 5' genomic region of SOCS-3 linked to the luciferase reporter in pGL3Basic vector. Basal and LIF-induced luciferase activity were assayed after transient transfection of corticotroph AtT-20 cells with the different constructs.

Figure 3 shows relative luciferase activities in transfected AtT-20 cells bearing the different constructs. Relative luciferase activities were calculated in comparison to basal luciferase activity of pGL3Basic alone without LIF treatment, which was defined as 1.0. Basal luciferase activity of clone 2 did not differ from pGL3Basic, and neither clone 2 nor pGL3Basic showed induction of luciferase activity by LIF. However, clones 4 and 6 showed 7- and 4- fold higher basal luciferase activity, respectively, as well as 35-fold higher LIF-stimulated luciferase activity, compared to the pGL3Basic ( $P<0.01$ ). This indicates that the region from nt. +104 to +927 is not involved in SOCS-3 promoter activity.

Increasing 5'-truncations of clone 6 up to nt. -161 caused a gradual increase of basal and LIF-stimulated luciferase activity, with both clone 6T2 ( $P<0.01$ ) and clone 6T3 ( $P<0.001$ ) showing significantly higher basal and LIF-induced luciferase activities than clone 6. Clone 6T3 had the highest basal (17-fold elevation) and LIF-induced (97-fold elevation) luciferase activities, compared to basal pGL3Basic ( $p<0.001$ ). This demonstrates that the region from nt. -2759 to -161 contains apparent negative regulator elements, but is not responsible for basal and LIF-induced SOCS-3 promoter activity.

Further 5'-truncation to nt. -63 in clone 6T4 caused decreases in basal activity and, more markedly, in LIF-inducible promoter activity. Mutated clones 6D1 ( $P<0.001$ ) and 6M1 ( $P<0.01$ ) showed reduced LIF-induced luciferase activity, compared to wild type clone 6. (Fig. 3). Extending the deletion to the entire tandem STAT binding region in clone 6D2,

showed no significant difference in the magnitude of basal vs. LIF-induced luciferase activity in comparison to clone 6D1. These results indicate that the specific STAT-1/STAT-3 binding element at -74 to -66 (TTCCAGGAA; SEQ.ID.NO.:13) mediates the LIF-induced rise in luciferase activity, while the more 5'-located STAT binding element at -97 to -89 (TTACAAGAA; SEQ.ID.NO.:30) does not significantly participate in this signal.

Clone 8 showed basal and LIF-induced luciferase activity comparable to clone 6. (Fig. 3). This further demonstrates the functional importance for SOCS-3 promoter activity of the region containing the STAT-1/STAT-3 binding element.

#### Example 6: Electromobility Shift Assay

EMSA showed specific binding of nuclear extracts from LIF-induced AtT-20 cells to a double stranded oligonucleotide probe spanning nt. -77 to -57 (STAT oligoprobe), including the STAT-1/STAT-3 binding element from -74 to -66. While nuclear extracts from unstimulated AtT-20 cells did not form specific complexes with the oligoprobe, nuclear extracts from LIF-stimulated AtT-20 cells formed three specific complexes, compatible with STAT-3 homodimers, STAT-1/STAT-3 heterodimers and STAT-1 homodimers (C.M. Horvath *et al.*, Genes Dev. 9:984-94 [1995]; J.E. Darnell, Jr., Science 277:1630-35 [1997]; S. Becker *et al.*, Nature 394:145-51 [1998]). The three complexes disappeared during self-competition with a 100-fold excess of unlabeled double stranded STAT oligonucleotide, whereas the same double stranded oligonucleotide mutated at positions -74, -71, -69, and -66, or a nonspecific double stranded AP-2 oligonucleotide had no effect. Incubation with a specific antibody directed against STAT-1 abolished the two bands representing STAT-1 homodimer and STAT1/STAT3 heterodimer. Similarly, incubation with a specific antibody directed against STAT-3 abolished the two bands representing STAT-3 homodimer and STAT1/STAT3 heterodimer. These results are evidence of specific binding of STAT-1 and STAT-3 to the SOCS-3 promoter region between nt. -74 to -66.

The foregoing examples being illustrative but not an exhaustive description of the embodiments of the present invention, the following claims are presented.

### CLAIMS

1. A nucleic acid construct, comprising a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.
2. The nucleic acid construct of Claim 1, further comprising said SOCS-3 promoter operatively linked, in a transcriptional unit, to a DNA sequence encoding a preselected protein or to a gene-specific part thereof.
3. The nucleic acid construct of Claim 2, wherein the SOCS-3 promoter is operatively linked to a DNA sequence that encodes a preselected gene-specific antisense RNA.
4. The nucleic acid construct of Claim 2, wherein the DNA sequence encodes a catalytic RNA that specifically hybridizes and cleaves a predetermined functional mRNA.
5. The nucleic acid construct of Claim 2, wherein the preselected protein is a SOCS-3 protein, or a functional fragment thereof.
6. The nucleic acid construct of Claim 2, wherein the SOCS-3 promoter is operatively linked to a DNA sequence that encodes an antisense RNA that specifically hybridizes to a SOCS-3 mRNA.
7. The nucleic acid construct of Claim 4, wherein the predetermined mRNA is a functional SOCS-3 mRNA.
8. The nucleic acid construct of Claim 2, wherein said SOCS-3 promoter is operatively linked to a DNA sequence encoding a reporter protein.
9. The nucleic acid construct of Claim 8, wherein the reporter protein is a fluorescent or light-emitting protein.
10. The nucleic acid construct of Claim 9, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaecquorin.

11. The nucleic acid construct of Claim 1, wherein the operative fragment is (SEQ. ID. NO.:2), (SEQ. ID. NO.:3), (SEQ. ID. NO.:4), (SEQ. ID. NO.:5), (SEQ. ID. NO.:6), (SEQ. ID. NO.:7), (SEQ. ID. NO.:8), (SEQ. ID. NO.:9), (SEQ. ID. NO.:10), (SEQ. ID. NO.:11), or (SEQ. ID. NO.:12), or a non-murine homologue, or operative derivative of any of these.
12. The nucleic acid construct of Claim 2, further comprising at least one insulator element flanking said transcriptional unit.
13. The nucleic acid construct of Claim 12, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.
14. A transgenic vertebrate cell containing the nucleic acid construct of Claim 1.
15. The transgenic vertebrate cell of Claim 14, wherein the cell is a pituitary, adrenal, hypothalamic, intestinal, liver, kidney, immune-competent, or bone-forming cell.
16. The transgenic vertebrate cell of Claim 14, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, neuron, intestinal epithelial, corticotroph, somatotroph, lactotroph, or gonadotroph cell.
17. The transgenic vertebrate cell of Claim 14, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, or liver tumor.
18. The transgenic vertebrate cell of Claim 14, grown in the presence of an inhibitor of DNA methylation.
19. A transgenic non-human vertebrate comprising the cell of Claim 14.
20. The transgenic non-human vertebrate of Claim 19, wherein said vertebrate is a non-human mammal or a bird.
21. A kit for genetically modifying a vertebrate cell, containing a polynucleotide comprising a murine SOCS-3 promoter sequence having SEQ. ID. NO.:1, or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.



22. The kit of Claim 21, further comprising said SOCS-3 promoter operatively linked, in a transcriptional unit, to a DNA sequence encoding a preselected protein or to a gene-specific part thereof.

23. The kit of Claim 22, wherein the SOCS-3 promoter is operatively linked to a DNA sequence that encodes a preselected gene-specific antisense RNA.

24. The kit of Claim 22, wherein the SOCS-3 promoter is operatively linked to a DNA sequence that encodes a catalytic RNA that specifically hybridizes and cleaves a predetermined functional mRNA.

25. The kit of Claim 22, wherein the preselected protein is a SOCS-3 protein, or a functional fragment thereof.

26. The kit of Claim 22, wherein the DNA sequence encodes a SOCS-3 protein or fragment thereof; and the DNA sequence is adjoined to the SOCS-3 promoter in an antisense orientation.

27. The kit of Claim 24, wherein the predetermined mRNA is a functional SOCS-3 mRNA.

28. The kit of Claim 22, wherein said SOCS-3 promoter is operatively linked to a DNA sequence encoding a reporter protein.

29. The kit of Claim 28, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

30. The kit of Claim 29, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

31. The kit of Claim 22, wherein said polynucleotide further comprises at least one insulator element flanking said transcriptional unit.

32. The kit of Claim 31, wherein at least one of said insulator element(s) is a chicken  $\beta$ -

globin insulator element.

33. The kit of Claim 21, further comprising a transfecting agent.
34. The kit of Claim 33, wherein the transfecting agent is a liposome, viral vector, transferrin-polylysine enhanced viral vector, retroviral vector, lentiviral vector, or uptake enhancing DNA segment, or a mixture of any of these.
35. The kit of Claim 33, wherein the transfecting agent comprises a retroviral vector, adenoviral vector, transferrin-polylysine enhanced adenoviral vector, human immunodeficiency virus vector, lentiviral vector, Moloney murine leukemia virus-derived vector, mumps vector, a DNA segment that facilitates polynucleotide uptake by and release into the cytoplasm of vertebrate cells, or comprises an operative fragment of or mixture of any of these.
36. The kit of Claim 33, wherein the transfecting agent comprises an adenovirus vector having endosomal lytic activity, and the polynucleotide is operatively linked to the vector.
37. The kit of Claim 33, wherein the transfecting agent comprises a lipid transfecting agent.
38. A method of treating a growth retardation disorder in a human subject, comprising:  
genetically modifying a GH-responsive or gp-130-responsive cell of a human subject having a growth retardation disorder with a nucleic acid construct comprising a SOCS-3 promoter sequence or operative fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding an RNA that specifically hybridizes to a functional SOCS-3 mRNA; and  
causing the cell, in vivo, to transcribe from said transcriptional unit, in response to a growth-inducing cytokine, an RNA transcript that specifically hybridizes to a functional SOCS-3 mRNA, preventing translation therefrom, whereby the amount of SOCS-3 protein produced in the cell is reduced and one or more symptoms of the growth retardation disorder is improved.
39. The method of Claim 38, wherein the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent, or bone-forming cell.
40. The method of Claim 38, wherein the cell is a hepatocyte, lymphocyte, chondrocyte,

corticotroph, somatotroph, lactotroph, or gonadotroph cell.

41. The method of Claim 38, wherein the cell is derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver, or bone tumor.

42. The method of Claim 38, wherein the SOCS-3 promoter sequence is a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.

43. The method of Claim 38, wherein the DNA sequence encodes a catalytic RNA that specifically hybridizes to and cleaves a functional SOCS-3 mRNA.

44. The method of Claim 38, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.

45. The method of Claim 44, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

46. The method of Claim 45, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

47. The method of Claim 38, further comprising at least one insulator element flanking said transcriptional unit.

48. The method of Claim 47, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

49. The method of Claim 38, wherein the growth-inducing cytokine is human growth hormone or a growth-inducing cytokine of the gp130 signaling subunit cytokine family.

50. The method of Claim 38, further comprising obtaining the GH-responsive or gp-130-responsive cell from a tissue of the human subject; genetically modifying the cell in vitro; and re-implanting the genetically modified cell into the tissue of the human subject.

51. A method of treating a growth acceleration disorder in a human subject, comprising:  
genetically modifying a GH-responsive or gp-130-responsive cell of a human subject having a growth acceleration disorder with a nucleic acid construct comprising a SOCS-3 promoter sequence or operative fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein or a functional fragment thereof; and  
causing the cell, in vivo, to transcribe from said transcriptional unit, in response to a growth-inducing cytokine, a functional SOCS-3 mRNA, whereby the amount of SOCS-3 protein produced in said cell is enhanced, and one or more symptoms of the growth acceleration disorder is improved.
52. The method of Claim 51, wherein the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent, or bone-forming cell.
53. The method of Claim 51, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cell.
54. The method of Claim 51, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver, or bone tumor.
55. The method of Claim 51, wherein the SOCS-3 promoter sequence is a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.
56. The method of Claim 51, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.
57. The method of Claim 56, wherein the encoded reporter protein is a fluorescent or light-emitting protein.
58. The method of Claim 57, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

59. The method of Claim 51, further comprising at least one insulator element flanking said transcriptional unit.

60. The method of Claim 59, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

61. The method of Claim 51, wherein the growth-inducing cytokine is human growth hormone or a cytokine of the gp130 signaling subunit cytokine family.

62. The method of Claim 51, further comprising obtaining the GH-responsive or gp-130-responsive cell from a tissue of the human subject; genetically modifying the cell in vitro; and re-implanting the genetically modified cell into the tissue of the human subject.

63. A method of treating an autoimmune disease, immune disease, or an inflammatory condition in a human subject, comprising:

genetically modifying a gp-130-responsive cell of a human subject having an autoimmune disease, immune disease, or inflammatory condition with a nucleic acid construct comprising a SOCS-3 promoter sequence, or fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein or a functional fragment thereof; and

causing the cell, in vivo, to transcribe from said transcriptional unit, in response to a pro-inflammatory cytokine of the gp130 signaling subunit cytokine family, a functional SOCS-3 mRNA, whereby the amount of SOCS-3 protein produced in said cell is enhanced, whereby the amount of SOCS-3 protein produced in the cell is enhanced, and one or more symptoms of the autoimmune disease, immune disease, or inflammatory condition is improved.

64. The method of Claim 63, wherein the cell is a pituitary, adrenal, hypothalamic, intestinal, kidney, liver, immune-competent, or bone-forming cell.

65. The method of Claim 63, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, neuron, intestinal epithelial, corticotroph, somatotroph, lactotroph, or gonadotroph cell.

66. The method of Claim 63, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, or liver tumor.

67. The method of Claim 63, wherein the SOCS-3 promoter sequence is a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.
68. The method of Claim 63, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.
69. The method of Claim 68, wherein the encoded reporter protein is a fluorescent or light-emitting protein.
70. The method of Claim 69, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoeaquorin.
71. The method of Claim 63, further comprising at least one insulator element flanking said transcriptional unit.
72. The method of Claim 71, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.
73. The method of Claim 63, wherein the pro-inflammatory cytokine is IL-6 or LIF.
74. The method of Claim 63, wherein the autoimmune disease, immune disease, or inflammatory condition is Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, an allergic or anaphylactic reaction, or a neuroendocrinological response to stress.
75. The method of Claim 63, further comprising obtaining the gp130-responsive cell from a tissue of the human subject; genetically modifying the cell in vitro; and re-implanting the genetically modified cell into the tissue of the human subject.
76. A method of treating an autoimmune disease, immune disease, or an inflammatory condition in a human subject, comprising:  
genetically modifying a gp-130-responsive cell of a human subject having an autoimmune

disease, immune disease, or inflammatory condition with a nucleic acid construct comprising a SOCS-3 promoter sequence, or fragment thereof, operatively linked, in a transcriptional unit, to a DNA sequence encoding a functional anti-inflammatory cytokine of the gp130 subunit signaling cytokine family linked to a functional secretory signal; and

causing the cell, in vivo, to transcribe from said transcriptional unit, in response to a pro-inflammatory cytokine of the gp130 signaling subunit cytokine family, a functional mRNA transcript, whereby the anti-inflammatory cytokine is produced and secreted in response to the pro-inflammatory cytokine, and one or more symptoms of the autoimmune disease, immune disease, or inflammatory condition is improved.

77. The method of Claim 76, wherein the cell is a pituitary, adrenal, hypothalamic, intestinal, kidney, liver, immune-competent, or bone-forming cell.

78. The method of Claim 76, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, neuron, intestinal epithelial, corticotroph, somatotroph, lactotroph, or gonadotroph cell.

79. The method of Claim 76, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, or liver tumor.

80. The method of Claim 76, wherein the SOCS-3 promoter sequence is a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these.

81. The method of Claim 76, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.

82. The method of Claim 81, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

83. The method of Claim 82, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

84. The method of Claim 76, further comprising at least one insulator element flanking

said transcriptional unit.

85. The method of Claim 84, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

86. The method of Claim 76, wherein the pro-inflammatory cytokine is IL-6 or LIF.

87. The method of Claim 76, wherein the anti-inflammatory cytokine is IL-11.

88. The method of Claim 76, wherein the autoimmune disease, immune disease, or inflammatory condition is Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, or a neuroendocrinological response to stress.

89. The method of Claim 76, further comprising obtaining the gp130-responsive cell from a tissue of the human subject; genetically modifying the cell in vitro; and re-implanting the genetically modified cell into the tissue of the human subject.

90. A method of treating a growth retardation disorder in a human subject, comprising:  
obtaining a GH-responsive or gp-130-responsive cell from a tissue of a human subject having a growth retardation disorder;

genetically modifying said cell, in vitro, with a nucleic acid construct comprising a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein or to a gene-specific part thereof, such that transcription of the DNA sequence, from said transcriptional unit, in response to a growth-inducing cytokine, results in an RNA transcript that specifically hybridizes to a functional SOCS-3 mRNA, whereby the amount of SOCS-3 protein produced in the cell is reduced;

re-implanting said cell within the tissue of said human subject, whereby the amount of SOCS-3 protein produced, in vivo, in response to the growth-inducing cytokine is reduced, and one or more symptoms of the growth retardation disorder is improved.

91. The method of Claim 90, wherein the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent, or bone-forming cell.



92. The method of Claim 90, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cell.

93. The method of Claim 90, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver tumor, or bone tumor.

94. The method of Claim 90, wherein the DNA sequence encodes a catalytic RNA that specifically hybridizes and cleaves a functional SOCS-3 mRNA.

95. The method of Claim 90, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.

96. The method of Claim 95, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

97. The method of Claim 96, wherein the encoded fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

98. The method of Claim 90, further comprising at least one insulator element flanking said transcriptional unit.

99. The method of Claim 98, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

100. The method of Claim 90, wherein the growth-inducing cytokine is human growth hormone or a cytokine of the gp130 signaling subunit cytokine family.

101. A method of treating a growth acceleration disorder in a human subject, comprising:  
obtaining a GH-responsive or gp-130-responsive cell from a tissue of a human subject having a growth acceleration disorder,

genetically modifying said cell, in vitro, with a nucleic acid construct comprising a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these, operatively linked, in a

transcriptional unit, to a DNA sequence encoding a SOCS-3 protein or operative fragment thereof; and

re-implanting said cell within the tissue of said human subject, whereby the amount of SOCS-3 protein produced in said cell, in vivo, in response to a growth-inducing cytokine is enhanced, and one or more symptoms of the growth acceleration disorder is improved.

102. The method of Claim 101, wherein the cell is a pituitary, adrenal, hypothalamic, liver, immune-competent, or bone-forming cell.

103. The method of Claim 101, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cell.

104. The method of Claim 101, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, liver tumor, or bone tumor.

105. The method of Claim 101, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.

106. The method of Claim 105, wherein the reporter protein is a fluorescent or light-emitting protein.

107. The method of Claim 106, wherein the fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaeguorin.

108. The method of Claim 101, further comprising at least one insulator element flanking said transcriptional unit.

109. The method of Claim 108, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

110. The method of Claim 101, wherein the growth-inducing cytokine is human growth hormone or a cytokine of the gp130 signaling subunit family.

111. A method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject, comprising:

obtaining a gp130 responsive cell from a tissue of a human subject having an autoimmune disease, immune disease, or inflammatory condition;

transfecting said cell with a nucleic acid construct comprising a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these, operatively linked, in a transcriptional unit, to a DNA sequence encoding a SOCS-3 protein or a functional fragment thereof; and

re-implanting said cell within the tissue of said human subject, whereby the amount of SOCS-3 protein produced in said cell in response to the pro-inflammatory cytokine is enhanced, and one or more of the symptoms of the autoimmune disease, immune disease, or inflammatory condition is improved.

112. The method of Claim 111, wherein the cell is a pituitary, adrenal, hypothalamic, intestinal, kidney, immune-competent, or liver cell.

113. The method of Claim 111, wherein the cell is a hepatocyte, lymphocyte, corticotroph, somatotroph, lactotroph, or gonadotroph cell.

114. The method of Claim 111, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, or liver tumor.

115. The method of Claim 111, wherein said transcriptional unit further comprises a DNA sequence encoding a reporter protein.

116. The method of Claim 115, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

117. The method of Claim 116, wherein the fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

118. The method of Claim 111, further comprising at least one insulator element flanking said transcriptional unit.

119. The method of Claim 118, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.
120. The method of Claim 111, wherein the pro-inflammatory cytokine is IL-6 or LIF.
121. The method of Claim 47, wherein the autoimmune disease, immune disease, or inflammatory condition is Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, an allergic or anaphylactic reaction, or a neuroendocrinological response to stress.
122. A method of treating an autoimmune disease, immune disease, or inflammatory condition in a human subject, comprising:  
obtaining a gp130-responsive cell from a tissue of a human subject having an autoimmune disease, immune disease, or inflammatory condition;  
transfecting said cell with a nucleic acid construct comprising a murine SOCS-3 promoter having a nucleotide sequence (SEQ. ID. NO:1), or an operative fragment or non-murine homologue thereof, or an operative derivative of any of these, operatively linked, in a transcriptional unit, to a DNA sequence encoding a functional anti-inflammatory cytokine of the gp130 subunit signaling cytokine family linked to a functional secretory signal; and  
re-implanting said cell within the tissue of said human subject, whereby the anti-inflammatory cytokine is produced and secreted, in vivo, in response to a pro-inflammatory cytokine of the gp130 subunit signaling cytokine family, and one or more symptoms of the autoimmune disease, immune disease, or inflammatory condition is improved.
123. The method of Claim 122, wherein the cell is a pituitary, adrenal, hypothalamic, intestinal, kidney, liver, immune-competent, or bone-forming cell.
124. The method of Claim 122, wherein the cell is a hepatocyte, lymphocyte, chondrocyte, intestinal epithelial, corticotroph, somatotroph, lactotroph, or gonadotroph cell.
125. The method of Claim 122, wherein the cell is a cell derived from a pituitary tumor, adrenal tumor, hypothalamic tumor, or liver tumor.
126. The method of Claim 122, wherein said transcriptional unit further comprises a DNA

sequence encoding a reporter protein.

127. The method of Claim 126, wherein the encoded reporter protein is a fluorescent or light-emitting protein.

128. The method of Claim 127, wherein the fluorescent or light-emitting protein is a green fluorescent protein, yellow fluorescent protein, blue fluorescent protein, phycobiliprotein, luciferase, or apoaequorin.

129. The method of Claim 122, further comprising at least one insulator element flanking said transcriptional unit.

130. The method of Claim 129, wherein at least one of said insulator element(s) is a chicken  $\beta$ -globin insulator element.

131. The method of Claim 122, wherein the anti-inflammatory cytokine is IL-11.

132. The method of Claim 122, wherein the pro-inflammatory cytokine is IL-6 or LIF.

133. The method of Claim 122, wherein the autoimmune disease, immune disease, or inflammatory condition is Crohn's disease, ulcerative colitis, multiple sclerosis, systemic lupus erythematosus, rheumatoid arthritis, Grave's disease, an allergic or anaphylactic reaction, or a neuroendocrinological response to stress.

Fig. 1A

1/2

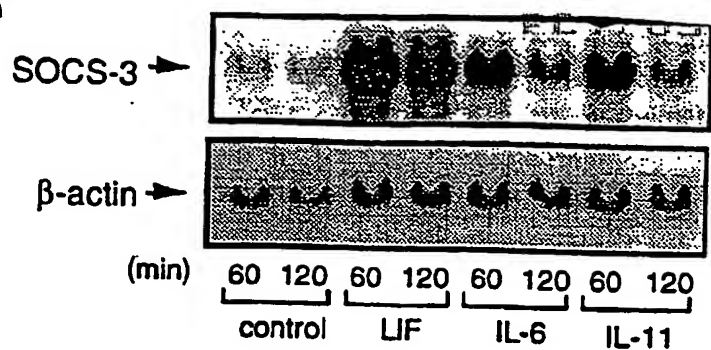


Fig. 1B

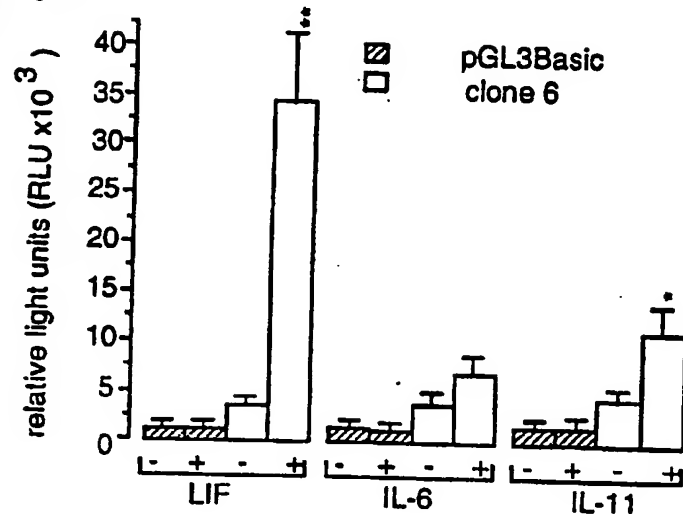


Fig. 2A

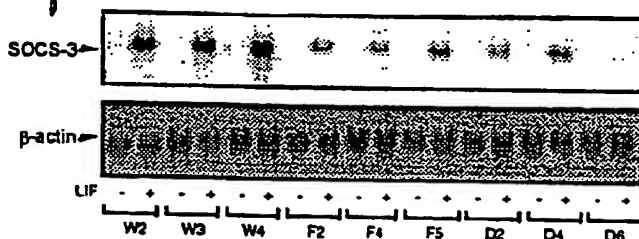


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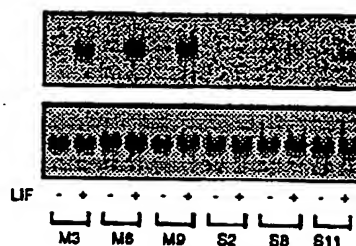
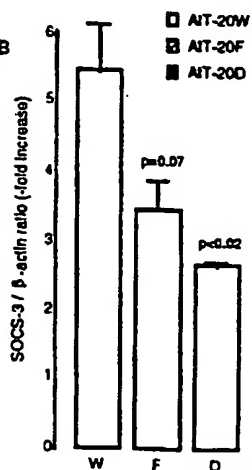


Fig. 2B



C

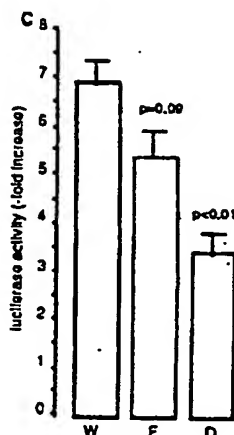


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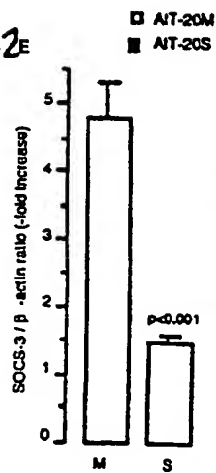


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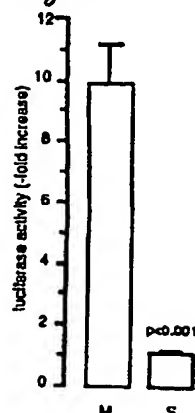
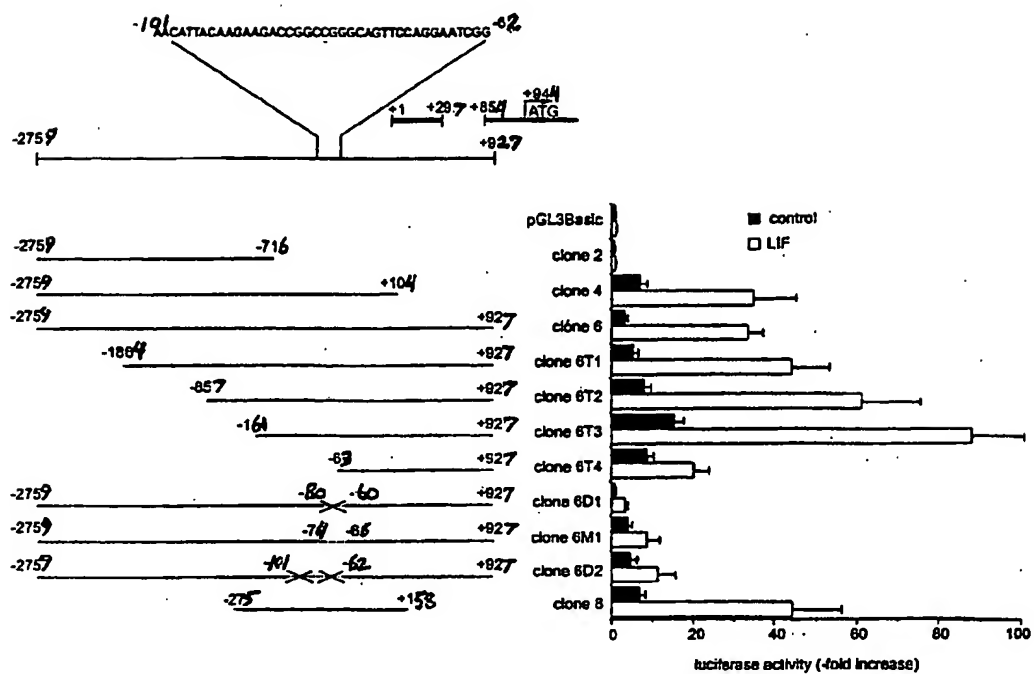


Figure 3



## SEQUENCE LISTING

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IN HUMANS

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&lt;210&gt; 4

&lt;211&gt; 2791

&lt;212&gt; DNA

&lt;213&gt; Mus musculus

&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-1864) ... (927)

&lt;400&gt; 4

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&lt;210&gt; 5

&lt;211&gt; 1803

&lt;212&gt; DNA

&lt;213&gt; Mus musculus

&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-857) ... (927)

&lt;400&gt; 5

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<211> 990

<212> DNA

<213> Mus musculus

<220>

<221> promoter

<222> (-63)...(927)

<400> 6

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<212> DNA

<213> Mus musculus

<220>

<221> promoter

&lt;222&gt; (-97)...(927)

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&lt;210&gt; 8

&lt;211&gt; 201

&lt;212&gt; DNA

&lt;213&gt; Mus musculus

&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-97)...(104)

&lt;400&gt; 8

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&lt;210&gt; 9

&lt;211&gt; 1014

&lt;212&gt; DNA

&lt;213&gt; Mus musculus

&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-87)...(927)

&lt;400&gt; 9

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&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-87)...(104)

&lt;400&gt; 10

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&lt;211&gt; 433

&lt;212&gt; DNA

&lt;213&gt; Mus musculus

&lt;220&gt;

&lt;221&gt; promoter

&lt;222&gt; (-275)...(158)

&lt;400&gt; 11

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WO 00/75326

PCT/US00/40151

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# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 00/40151

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N15/12 C12N15/11 C07K14/47 A61K38/17 A61K48/00  
A01K67/027

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K A01K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, EMBL

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DATABASE EMBL 'Online! EBI; ACC.NO.: AF117732, 12 March 1999 (1999-03-12) AUERNHAMMER ET AL.: "Mus musculus suppressor of cytokine signalling-3 (Socs3) gene, partial cds." XP002150722	1-11
Y P,X	the whole document -& AUERNHAMMER ET AL.: "Autoregulation of pituitary corticotroph SOCS-3 expression: Characterization of the murine SOCS-3 promoter" PROC. NATL.ACAD SCI. USA, vol. 96, 8 June 1999 (1999-06-08), pages 6964-6969, XP002150720 page 6964 -page 6965; figures 1,3-5,7 -/-	1-133 1-11

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

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Date of the actual completion of the international search

23 October 2000

Date of mailing of the international search report

07/11/2000

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Authorized officer

van Klompenburg, W

# INTERNATIONAL SEARCH REPORT

Int. Patent Application No.  
PCT/US 00/40151

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 98 20023 A (INST MEDICAL W & E HALL ;VINEY ELIZABETH M (AU); STARR ROBYN (AU);) 14 May 1998 (1998-05-14) page 2, line 22 -page 3, line 10 page 4, line 4 - line 17 page 15, line 21 -page 16, line 7 page 44, line 10 - line 24 page 52, line 12 - line 16 page 55, line 20 - line 25 page 61, line 20 -page 62, line 2 claims 1-40; figure 9	1-133
X	DATABASE EMBL 'Online! EBI; ACC.NO.: AA124942, 26 November 1996 (1996-11-26) MARRA ET AL.: "The WashU-HHMI Mouse EST project" XP002150723 the whole document	1-11
X	DATABASE EMBL 'Online! EBI; ACC.NO.: W66798, 15 June 1996 (1996-06-15) MARRA ET AL.: "The WashU-HHMI Mouse ESTproject" XP002150724 the whole document	1-11
A	HEINRICH ET AL.: "Interleukin-6-type cytokine signalling through the gp130/Jak/STAT pathway" BIOCHEMICAL JOURNAL, vol. 334, 1998, pages 297-314, XP002150721 cited in the application abstract page 305, right-hand column -page 306, left-hand column page 307, right-hand column figure 5 scheme 2	1-133

-/-

# INTERNATIONAL SEARCH REPORT

Int. Patent Application No.

PCT/US 00/40151

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>SEIJIRO MINAMOTO ET AL: "Cloning and functional analysis of new members of STAT induced STAT inhibitor (SSI) family: SSI.2 and SSI-3"</p> <p>BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS,US,ACADEMIC PRESS INC. ORLANDO, FL, vol. 237, no. 1, 8 August 1997 (1997-08-08), pages 79-83, XP002095406</p> <p>ISSN: 0006-291X</p> <p>cited in the application abstract</p> <p>figures 1,2,4</p>	1-133

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/40151

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9820023 A	14-05-1998	AU 4694397 A	29-05-1998
		CN 1253565 A	17-05-2000
		EP 0948522 A	13-10-1999
		GB 2331753 A	02-06-1999
		NO 992116 A	29-06-1999



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